



Appeal Decision

Site visit made on 15 January 2020

by Martin Chandler BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2020

Appeal Ref: APP/Z0116/W/19/3240027

30 Hillfields Avenue, Speedwell, Bristol BS16 4JR

- 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 Akhtar against the decision of Bristol City Council.
 - The application Ref 19/01448/F, dated 21 March 2019, was refused by notice dated 29 August 2019.
 - The development proposed was originally described as: 'Full Planning Permission (Re-submission) for the construction of a single two-bedroom house with vehicular parking, refuse store and cycle racks on land to the side of 30 Hillfields Avenue, Bristol BS16 4JR'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - i) the effect of the proposal on the character and appearance of the area;
 - ii) the effect of the proposal on the living conditions for the occupants of neighbouring properties; and
 - iii) whether the proposal would provide suitable living conditions for future occupants.

Reasons

Character and appearance

3. The appeal site is occupied by a house which forms part of a set piece of four dwellings which address the corner of the junction of Hillfields Avenue and Market Square. The existing building has a hipped roof which is consistent with the prevailing form and appearance of houses within the immediate locality. To the north of the site, there are a series of semi-detached houses which observe the same building line of the existing dwelling and which have similar spaces between them. Indeed, the overwhelming characteristic of the area is the consistency and uniformity of the form, appearance and siting of the existing houses which combine to create a pleasing suburban environment. In this respect, the planned nature of the appeal site and its adjoining neighbours make a positive contribution to the character and appearance of the area.

4. The proposal would introduce a new dwelling within the gap between Nos 30 and 32 Hillfields Avenue. It would be a narrower building that would have a pitched roof with gable end and a dormer window centrally located within the front facing roofslope. Due to the restricted width of the proposed dwelling and its gable ended roof form, including the proposed dormer window, the proposal would be distinctly at odds with the uniformity of the surrounding dwellings. As a consequence, the proposal would be in stark contrast to the prevailing street scene. Accordingly, it would have a demonstrably harmful effect on the character and appearance of the area.
5. There are examples of two storey side extensions within the surrounding area and my attention has been drawn to specific examples. However, where these are apparent, they complement the hipped roof form of the existing buildings. Consequently, they represent a materially different form of development and therefore I attach very little weight to their presence. Furthermore, whilst I note that the proposal has been reduced in size from a previous submission, this does not alter the concerns that I have identified above.
6. Consequently, I conclude that the proposal would harm the character and appearance of the area. Accordingly, it would fail to comply with Policy BCS21 of the Bristol Core Strategy (2011) (CS), and Policies DM21, DM26, DM27 and DM29 of the Site Allocations and Development Management Policies Local Plan (2014) (LP). Taken together, these require development to achieve high quality urban design which does not harm the character and appearance of an area.

Living conditions – neighbouring properties

7. No 32 has two small windows located on the side elevation facing towards the appeal site at ground floor level. The proposed dwelling would be located within the space between Nos 30 and 32 and consequently, the proposal would be located closer to these side facing windows. However, the outlook from these windows is already restricted due to the presence of the existing building, an impact that is heightened by the rising land levels. Based on the evidence before me, I am satisfied that the effect of the proposal on these facing windows would not be materially worsened as a result of the development.
8. No 32 also benefits from a single storey rear extension, the consequence of which would be that the proposed dwelling would not extend beyond the rear of the adjacent property. Therefore, due to the presence of the existing extension, I am satisfied that the proposal would not have an overbearing or overshadowing effect on No 32. For the same reason, I am satisfied that the proposal would not harm existing levels of sunlight entering the adjacent garden. Finally, although the proposal would introduce rear facing windows at an elevated level, closer to the shared boundary, due to the suburban nature of the locality, mutual overlooking from elevated windows is not uncommon. I am therefore satisfied that the proposal would not materially harm privacy levels.
9. For the reasons identified above, I conclude that the proposal would not harm the living conditions for the occupants of neighbouring properties. Accordingly, the proposal would comply with Policy BCS21 of the CS and Policy DM30 of the LP. Taken together, these require development to safeguard the amenity of existing development and neighbouring occupiers.

Living conditions – future occupants

10. Policy BCS18 of the CS requires residential development to provide sufficient space for everyday activities by meeting appropriate space standards and Policy BCS21 of the CS requires development to create a high-quality environment for future occupants. The nationally described space standards (NDSS) states that a 2 storey, 2 bedroom dwelling should provide 70m² of floorspace if it provides 3 bed spaces, and 79m² for 4 bed spaces.
11. The proposed floor plans show accommodation that provides 3 bed spaces and based on the evidence before me, the proposal would provide a floor area that would sit between the two figures set out above. However, in terms of area, the size of the single bedroom would be larger than the double bedroom. Despite the ambiguity of the proposed drawings, no evidence has been provided to demonstrate why the level of accommodation proposed would fail to meet the requirements of the development plan. The floorplans show usable living accommodation and each bedroom meets the necessary technical requirements of the NDSS. Consequently, based on the evidence before me, I have no reason to consider that the proposal would fail to provide sufficient space for everyday activities.
12. Consequently, I conclude that the proposal would provide suitable living conditions for future occupants. It would therefore accord with Policies BCS18 and BCS21 of the CS, the requirements of which are identified above.

Other Matters

13. The proposal would result in the creation of an additional dwelling on a small, windfall site, and in this respect, it would make a positive contribution to local housing supply. However, based on the evidence, I have no reason to consider that the Council are not meeting their housing land supply requirements. Consequently, this matter only holds limited weight in favour of the proposal.
14. The proposal would bring economic benefits in relation to the creation of construction jobs, additional custom for local shops, increased Council Tax receipts, and increased child numbers for the local school. Socially, the new occupants would likely contribute to existing facilities and environmentally, the new dwelling would be well-located for existing services and it would also be built to modern standards in relation to energy efficiency. However, the proposal would only create a single dwelling and consequently, these benefits only attract limited weight in my assessment of the appeal.

Conclusion

15. I have found that the proposal would not harm the living conditions of the occupants of neighbouring properties. It would also provide suitable living conditions for future occupants. However, the proposal would demonstrably harm the character and appearance of the area. This is a matter of overriding concern to which I attach a significant level of weight. Consequently, this matter outweighs the limited benefits that the proposal would bring.
16. Accordingly, for the reasons identified above, the appeal should be dismissed.

Martin Chandler

INSPECTOR