



Appeal Decision

Site visit made on 26 May 2020 by Alex O'Doherty LLB(Hons) MSc

Decision by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th June 2020

Appeal Ref: APP/Z0116/W/19/3241611

262 Ridgeway Road, Fishponds, Bristol BS16 3LE

- 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 Graham Crees against the decision of Bristol City Council.
 - The application Ref 19/01595/F, dated 31 March 2019, was refused by notice dated 2 July 2019.
 - The development proposed is erection of a new 2 bedroom (3 bed spaces) end of terrace house over 2 storeys, with associated external works.
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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.

Procedural Matters

3. The list of plans given in the Council's decision notice list both L(00)200 REV B and L(00)200 REV C. It is clear that REV C was provided before the Council's determination of the application, and as that is the latest iteration, L(00)200 REV C has been taken into account in the consideration of this appeal.
4. There is discrepancy between the relevant planning history contained within the appellant's Design and Access Statement and his Statement of Case. For the avoidance of doubt, based on all the evidence before me, I have had regard to the following planning history. In 2017 a planning application for the erection of a two storey 3 bed dwelling house was withdrawn (17/00309/F). Later, in 2017, planning permission was granted for a two storey side extension (17/03559/H).

Main Issues

5. The main issues are the effect of the proposal on the character and appearance of the area, and on the living conditions of the occupiers of No 262 Ridgeway Road ('No 262'), with particular reference to outlook and sunlight.

Reasons for the Recommendation

Character and appearance

6. The appeal site comprises a prominent corner plot, which contains an end-of-terrace dwelling with a side and a rear garden, located at the junction of Ridgeway Road and Honiton Road. This residential area largely comprises 2 storey terraces and semi-detached houses, with modest front gardens. Whilst massing is present at the corner plot at the junction between Ridgeway Road and Moorlands Road, this is the exception, rather than the rule. Indeed, the commonly underdeveloped corner plots in the local area, often with valuable green space in-between the properties and the road, provides a sense of spaciousness to the area. This provides a counter-balance to the lines of built form composed of nearby terraced and semi-detached houses.
7. The proposal, to build a 2 storey dwelling in the side garden of No 262, would be connected to the existing side elevation of No 262. It is recognised that the proposal would be set back from the junction, and that the architectural design of its elevations, roof, front fenestration, and proposed materials would not harm the character or appearance of the area. Additionally, the existing property has a largely blank elevation facing Honiton Road, and the proposal, with its appropriate fenestration and active elevations, would be a slight architectural improvement over that existing side elevation which, as the appellant has drawn attention to, are requirements of the Urban Design Compendium in designing for corner sites.
8. Nevertheless, while local policy does not require the rigid adherence to a grid, it does require an appropriate response to building lines and set-backs. Whilst the existing dwelling is set back slightly from those properties on Honiton Road, this set back does not unduly conflict with the clear sequence of built form which extends from the curve in the road to the junction. In contrast, the proposal would extend the front elevation of the existing terrace by about 4.2m, breaching the building line of the properties to the rear along Honiton Road. The proposal would jut out beyond the houses to the rear, causing a noticeable disruption to, and undermining the coherence of, this established pattern of development.
9. Furthermore, the proposal would create a new rear off-shoot of about 3.8m in length, extending towards the property to the rear on Honiton Road. The scale and massing of the proposal, with this rear projection taking up a substantial amount of the existing garden space, would both dominate the junction and significantly reduce the contribution that the plot makes to the sense of spaciousness in the local area.
10. Overall therefore I conclude that the proposal would have an unacceptable and harmful effect on the character and appearance of the area. The proposal would be contrary to Policy BCS21 of the Bristol Development Framework: Core Strategy (adopted June 2011) ('Core Strategy') which provides that development in Bristol will be expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness. The proposal would also be contrary to policies DM26 and DM27 of the Site Allocations and Development Management Policies: Local Plan (adopted July 2014) ('Local Plan') which supports proposals which contribute towards local character and distinctiveness, and which contribute to the creation of quality urban design.

11. The appellant refers to SPD2 (A Guide for Designing House Alterations and Extensions), but my attention has not been drawn to any relevant part of such document and therefore it has not been determinative.

Living conditions

12. The proposed rear elevation, which would extend almost 4m to the rear of the existing property, would consist of two elements: a main pitched roof structure with an eaves height which would nearly mirror that of the existing property, and an inset flat-roofed structure set at a lower height. Although the side wall of the flat-roofed structure would be closest to the boundary with the existing dwelling, the new 2 storey structure would be only about 1 metre away from that boundary.
13. It is recognised that the windows of the habitable rooms at No 262 would be set a sufficient distance away from the new structure and would meet the 45 degree rule. However, due to the scale of the proposal, the 2 storey structure would tower over the existing garden area, making it much less pleasant to use than existing. The volume of the flat-roofed structure would exacerbate the enclosing effect. In combination, these tall structures, so close to the boundary, would create a materially harmful enclosing and overbearing effect on the garden of the existing property. Harm to outlook would result.
14. In relation to sunlight, the orientation of the garden is SSW-facing. Whilst the proposal would be 2 stories, due to the path of the sun, any overshadowing would be unlikely to be materially harmful.
15. Although the proposal would be acceptable in some respects, I conclude that the proposal would have a materially harmful effect on the living conditions of the occupiers of No 262 Ridgeway Road, with particular reference to outlook. The proposal would be contrary to Policy BCS21 of the Core Strategy which states that development in Bristol will be expected to safeguard the amenity of existing development. The proposal would also conflict with policies DM27 and DM29 of the Local Plan which seek to enable existing and proposed development to achieve appropriate levels of outlook.

Other Matters

16. The appellant refers to an extant planning permission for a 2 storey side extension at the appeal site¹. The DAS provides a diagram which shows its plan form. As that development would be narrower, and would not extend beyond the rear elevation of No 262, I consider that, if built, it would be less harmful than the appeal proposal. Accordingly, it has been given limited weight.
17. The appellant also refers to 3 other planning applications². However, 17/00309/F relates to a withdrawn application, and so does not provide support for the proposal. Regarding 17/06481/F and 14/05117/F, on the basis of the limited evidence before me, it is not clear if the character and appearance of the areas where those proposals are located are sufficiently similar to enable a meaningful comparison with this appeal proposal. Accordingly, the appeal proposal has been determined on its own merits.

¹ Local Planning Authority reference: 17/03559/H

² Local Planning Authority references: 17/00309/F; 17/06481/F; 14/05117/F (allowed on appeal)

18. The lack of harm to residents' living conditions with regard to privacy and daylight, and the provision of satisfactory living conditions for future residents with respect to internal space requirements, car parking, cycle and bin storage, would be neutral in the planning balance.
19. The provision of one dwelling, suitable for a family, in a reasonably accessible location would make a small contribution to the Government's objective of significantly boosting the supply of homes. Furthermore, future residents would contribute to the local economy. The property may be designed to be energy efficient, and improve passive surveillance around the site, and would incorporate photovoltaic panels. Additionally, the proposal would improve the appeal site boundary by adding planting and timber trellis screening, and would create adequately-sized gardens for the 2 dwellings. However, there is no evidence before me to suggest that a less harmful scheme could not achieve the same aims. Thus, I give these considerations little weight.
20. The proposal would improve the living accommodation available at the existing property, including a larger bathroom at first floor level and increased storage space. However, as this would mainly be a private benefit, this has been given very limited weight.
21. While the proposal may make an efficient use of land (with no concerns raised in terms of over-development or density), it would do so in a manner that would be considerably harmful to the character and appearance of the area. The proposal would also be harmful to the occupiers of No 262 enjoyment of their private garden space. Therefore, I find that the matters advanced in support of the proposal, do not, either individually or collectively, outweigh the harm identified, nor the conflict with the development plan.

Conclusion and Recommendation

22. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

Alex O'Doherty

APPEAL PLANNING OFFICER

Inspector's Decision

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

Zoe Raygen

INSPECTOR