



Appeal Decision

Site visit made on 6 July 2020 by Ben Phillips Bsc Msc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 20 October 2020

Appeal Ref: APP/Z0116/W/20/3251725

32 Hollisters Drive, Hartcliffe, Bristol BS13 0EX

- 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 Piotr Olszewski against the decision of Bristol City Council.
 - The application Ref 19/04270/F, dated 30 August 2019, was refused by notice dated 3 December 2019.
 - The development proposed is described as proposed first floor extension to existing house, demolition of garage and erection of one new dwelling.
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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.

Main Issue

3. The main issues in this case are the following:
 - The effect of the proposed dwelling on the character and appearance of the surrounding area;
 - The effect of the proposed extension on the character and appearance of the existing dwelling and the surrounding area; and
 - The effect of the development on the living conditions of the occupiers of the No 30 Hollisters Drive, with particular reference to outlook.

Reasons for Recommendation

Character and Appearance – Proposed dwelling

4. The appeal property is sited on the corner of Hollisters Drive and Miltons Close. Hollisters Drive is a suburban road made up of semi-detached and terraced two storey dwellings set back from the road in a consistent building line, providing off road parking space or a front garden and largely open corner plots such as the appeal site.
5. Miltons Close is a short cul de sac ending in green open space and has a similar appearance. Both streets have an open, spacious character. Although not entirely consistent, the existing building lines in Miltons Close provide the

characteristic set back from the road which makes a positive contribution to the spacious character of the area.

6. Whilst the proposed development to the side of the existing dwelling would follow the building line of Hollisters Drive it would be forward of the building lines of Miltons Close. Moreover, it would be sited in close proximity to the boundary. Whilst the proposed development would follow the eaves and ridgeline of the host property, the introduction of a new dwelling in this prominent corner location would significantly erode the open appearance of the appeal site and surrounding area. Moreover, due to its scale and massing, it would appear as an incongruous form of development, at odds with the spacious character and appearance of this part of the street.
7. Although the existing garage of the appeal property sits proud of this building line, its single storey nature and subsequent limited visual impact is not directly comparable to the two-storey dwelling proposed.
8. Reference has been made a number of similar developments in the area. Details provided regarding No 12 Binmead Gardens¹ show a slight projection in front of a building line, not the entire property as in the case before me. Moreover, it appears that the site is opposite open land and thus, is not directly comparable to the appeal site. Similarly, the example shown at No 1 Randolph Avenue² shows a development only slightly in front of a building line.
9. With regards to No 35 Aldwick Avenue, No 11 Kilmersdon Road, No 69 Collinson Road and No 13 Kilmersdon Road³, these developments do not necessarily constitute examples of acceptable development that should be repeated at the appeal site.
10. Finally, the appellant refers to an appeal decision regarding land adjacent to 24 Dursley Road⁴, where the previous Inspector considered that development forward of a building line 'would not be to a degree that would be obtrusive or harmful to the character of the area'. I have considered the previous Inspector's findings and decision and I acknowledge the importance of consistency. However, I have not been provided with the full details of this particular case and thus do not know if the circumstances mirror the proposal before me which I have determined upon its own merits.
11. Full details of the other examples referred to are not before me, but these developments, some of which are extensions to terrace properties are in various locations which differ in their particular circumstance. Thus, these developments are not directly comparable with the appeal site.
12. In light of the foregoing, I conclude that the proposed dwelling would be out of keeping with the character and appearance of the surrounding area in conflict with Policy BCS21 of the Bristol City Council Core Strategy (2011) (CS) and Policies DM26 and DM27 of the Bristol Local Plan: Site Allocations and Development Management Policies Local Plan 2014 (DM), which set out that development should be appropriate to the immediate context and not harm the local character, be of a high quality, and specifically that development of

¹ Approval ref: 17/05816/F

² Approval ref: 15/06392/F

³ Approval ref: 17/03043/F, 16/05667/F, 15/06516/F & 16/00530/F respectively.

⁴ APP/Z0116/W/19/3224841

garden land should not result in harm to the character and appearance of an area. These policies are consistent with paragraph 127 of the National Planning Policy Framework.

Character and Appearance – Extension

13. The proposed extension, whilst full width, would be limited in depth and sited at the rear of the property. Its design would include a small flat roof section, however it would be of a scale that is subordinate to the main building and would not alter the appreciation of its scale and form.
14. Whilst the rear elevation of the appeal site is readily visible from the road, some variation is to be expected along rear elevations in terms of built form. In this particular case, the character and consistency of the street and surroundings are largely dependent on the frontages.
15. The Council's Supplementary Planning Document 'A Guide for Designing House Alterations and Extensions' (2005) (SPD2) suggests that extensions greater than 2.75m in depth are 'unlikely to be acceptable'. However, this is general guidance which is taken into account together with the context of the area. The limited additional proposed depth would not result in the development being out of keeping with either the existing dwelling or the surrounding properties.
16. As such, I conclude that the proposed extension would not harm the character or appearance of the existing dwelling or the surrounding area. Therefore, there would be no conflict with CS Policy BCS21 or DM Policy DM30, which set out that extensions should be high quality, make a positive contribution to an area's character and respect the form and design of the host building. Moreover there would be no conflict with the general aims of SPD2.

Effect on living conditions

17. The proposed extension to No 32 Hollisters Drive extends up to the boundary with No 30. This neighbour has a single storey conservatory projection on the boundary. The proposed extension, matching the rear projection of the proposed dwelling, would not project further to the rear than this conservatory, and the first-floor element of the extension sited next to the boundary would be limited to approximately half the depth of the conservatory.
18. Given this limited depth, the extension would not break the 45 degree line and would not be harmful to the outlook from the rear facing fenestration or garden area of No 30.
19. I conclude that the proposal would have no harmful effect on the living conditions of the occupiers of No 30 Hollisters Drive. There is therefore no conflict with CS Policy BCS21, or DM Policies DM29 and DM30 which collectively seek to protect living conditions and the amenity of existing development. Moreover, there is no conflict with paragraph 127 of the Framework which requires that a high standard of amenity for existing and future users is provided or the advice set out in the Supplementary Planning Document 'A Guide for Designing House Alterations and Extensions' (2005).

Other Matters

20. The proposal includes an outbuilding/workshop in the rear garden. The Council consider that although large in scale, the building would be acceptable. I have no reason to take a different view.
21. I acknowledge that the proposal would make an efficient use of land and would make a contribution to the Government's objective of significantly boosting the supply of homes. Also, the appeal site is located close to numerous facilities. I attach moderate weight to these matters. Moreover, I note that suitable materials would be used, and that the development would provide a suitable standard of amenity for future occupiers and parking space. In addition, it is noted that the building would be constructed to reduce carbon emissions. However, these matters do not carry weight in support of the proposal because they would be expected of any well-designed development.
22. Against these benefits is the substantial harm that the proposal would cause to the character and appearance of the area in conflict with the development plan and the Framework. I find therefore that the benefits of the scheme do not individually, or cumulatively, outweigh the harmful impact identified.

Conclusion

23. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

B Phillips

APPEAL PLANNING OFFICER

Inspector's Decision

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

RC Kirby

INSPECTOR