



Appeal Decisions

Site Visit made on 29 September 2020

by S Thomas BSc (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2021

Appeal A, APP/Z0116/W/20/3249871

2 Harrington Road, Stockwood, Bristol BS14 8LD

- 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 & Mrs Murray against the decision of Bristol City Council.
 - The application Ref 19/04219/F, dated 28 August 2019, was refused by notice dated 5 November 2019.
 - The development proposed is erection of detached house and associated parking on land to the rear of 2 & 4 Harrington Road, Stockwood.
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Appeal B, APP/Z0116/W/20/3249873

2 Harrington Road, Stockwood, Bristol BS14 8LD

- 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 & Mrs Murray against the decision of Bristol City Council.
 - The application Ref 20/00010/F, dated 2 January 2020, was refused by notice dated 27 February 2020.
 - The development proposed is erection of 2-bed detached house and associated parking on land to the rear of 2 & 4 Harrington Road, Stockwood.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Procedural Matters

3. As set out above, there are two appeals on this site. They differ only in the size and design of the proposed dwellings. I have considered each proposal on its own merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

Main Issues

4. The main issues in both appeals are the effect of the proposed development on (i) the character and appearance of the area, and (ii) the living conditions of the occupiers of Nos 2 and 4 Harrington Road (Nos 2 & 4) with regard to outlook.

Reasons

Character and Appearance

5. The appeal site is located to the rear of the appeal property and the adjoining property with an access onto Stockwood Road. The appeal property is sited on a prominent corner plot. This residential area is characterised by a regular pattern of development typically of semi-detached dwellings of similar design set within a tree lined street scene. The separation between the corner plots and dwellings to the rear contributes to the spacious character of this residential area.
6. The proposed siting of the dwelling in both appeals would result in a detached dwelling which would appear out of context with the semi-detached form that characterises the area. Whilst a separation would remain to the appeal property, nevertheless the proposed dwelling would appear to intrude into the rear of the appeal property and would disrupt the spacious character that exists between the appeal property and the adjacent property No 79 Stockwood Road. Whilst I acknowledge the dwellings in both appeals would follow the building line along Stockwood Road, the proximity to the front elevation of No 79 would be uncharacteristic of the spacing between properties along Stockwood Road and the dwelling in both appeals would appear cramped within the plot when viewed from the street scene.
7. The dwelling in Appeal A incorporates a projecting gable to the front and the ridge of the roof would be higher than adjacent properties. The gable would be uncharacteristic of surrounding properties and together with the uncharacteristic ridge height would only serve to accentuate its intrusive siting. The dwelling proposed in Appeal B has a matching ridge height and the front elevation would be more sympathetic to the character of surrounding properties. Similarly, I acknowledge the materials would not be out of character with the existing built form. It also incorporates increased spacing to No 79 Stockwood Road. However, this does not overcome the harm to the street scene and, by virtue of the siting and detached form, the dwellings in both Appeal A and B would both fail to integrate successfully into the street scene.
8. For the above reasons, I conclude that the dwellings proposed by both Appeal A and B would result in harm to the character and appearance of the area. Accordingly, both appeals would be in conflict with Policy BCS21 of the Bristol Development Framework Core Strategy (2011) (Core Strategy) and Policies DM21, DM26, DM27 and DM29 of the Bristol Local Plan Site Allocations and Development Management Policies (2014) (Local Plan). Amongst other matters these policies seek that development should be of a high-quality design that contributes positively to an areas character and identity, respects the local pattern of development and responds appropriately to the form of existing buildings, incorporates elevations that provide visual interest in the street scene and be organised in terms of their form to reflect the context they will address.

Living Conditions

9. Given the siting of the proposed dwelling in Appeal A and Appeal B adjacent to the rear boundaries of Nos 2 and 4, the dwellings proposed would be very prominent. The rear elevations and in particular the rear conservatories of Nos

2 and 4 would be in very close proximity to the side elevation of the proposed dwellings. The side elevation would be an imposing feature upon the occupiers of the existing dwellings when viewed from their garden and properties, in particular their conservatories and patio area.

10. Whilst the dwelling in Appeal B would be set back slightly from the rear boundary compared to the dwelling in Appeal A and would be lower, nevertheless the scale and massing of the side elevation would result in the dwellings in both appeals being overbearing for the occupiers of Nos 2 and 4. Whilst I acknowledge privacy of occupiers would not be harmed through overlooking, the overbearing nature of the proposed dwellings means it would harm outlook for existing occupiers.
11. Consequently, in light of the above, the dwellings proposed in both appeal A and B would result in harm to the living conditions of existing occupiers of Nos 2 and 4 in respect of outlook. Thus, the proposals would conflict with Policy BCS21 of the Core Strategy and Policies DM27 and DM29 of the Local Plan. These policies seek that new development safeguards the amenity of existing development and enable existing development to achieve appropriate levels of outlook.

Other Matters

12. The appeal site is located in a sustainable location for housing and is acceptable in relation to highways and parking and the provision of amenity space. The dwellings proposed would also provide a new energy efficient dwelling to the housing stock. Similarly, the appellants' propose these as self build dwellings to provide additional family accommodation and I note the Government is actively seeking to increase this form of development. Nevertheless, these factors do not outweigh the harm the appeal proposals would cause to the character and appearance of the area and on the living conditions of existing occupiers.
13. The appellants' refers to a number of examples of existing properties in the area which they consider representative of the proposals subject of these appeals. Having viewed these on my visit, none are comparable to the schemes before me which involve a detached dwelling being sited in a gap between the rear and side elevations of existing semi-detached properties. Thus, they have a completely different appearance to that of the appeals before me.
14. Furthermore, whilst the gaps between rear and side elevations in these examples vary, they did not appear to be as small as the gap that would exist between Nos 2 and 4 and the side elevation of the proposed dwelling. In particular, the plans indicate that the spacing between Nos 10,12 and 14 Harrington Road would not be as short as the spacing between the appeal property and the proposed side elevation of the dwelling. Having viewed the relationship of these properties; this does not persuade me an even shorter gap between rear and side elevations such is the case in the appeal before me would be acceptable. Similarly, whilst there may be examples of rear garden development elsewhere, I do not have the details of these schemes before me nor the planning circumstances behind them. These attract limited weight in my deliberations.
15. I have taken into account the appellants' comments regarding the decision-making process by the Council, however I have determined the appeal on its own planning merits. I also note the letters of support for the scheme from

some neighbouring residents. However, this does not alter my view on the unacceptability of the proposal. In this case, given the harm to character and appearance and living conditions, the proposed dwellings subject of Appeals A and B would not be in accordance with the policies of the development plan.

Conclusion

16. For the above reasons, Appeal A and Appeal B do not succeed.

S Thomas

INSPECTOR