



Appeal Decision

Site visit made on 8 December 2020 by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 January 2021

Appeal Ref: APP/Z0116/W/20/3258670

6 Filton Grove, Horfield, Bristol BS7 0AJ

- 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 Christopher Jenkins against the decision of Bristol City Council.
- The application Ref 20/01102/F, dated 9 March 2020, was refused by notice dated 11 May 2020.
- The proposed development is a 2 bedroom house.

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. I saw during my site visit that part of the rear garden was used for parking, with a gate in the rear boundary wall allowing access to Filton Avenue. However, I note that the Council have stated that this parking area was not approved. Regardless of the lawfulness of the existing arrangement, I provide a recommendation on the proposal before me solely on its own merits.

Main Issue

4. The main issues are:
 - i) the effect of the proposed development on the character and appearance of the site and surrounding area, and
 - ii) the effect of the proposed development on highway safety.

Reasons for the Recommendation

Character and Appearance

5. The appeal site accommodates a dormer bungalow which fronts onto Filton Grove. The rear garden backs onto Filton Avenue, a busy arterial road with two-way traffic, with a bus stop located in close proximity to the rear garden boundary wall. The site is also situated around 70m to the north of a busy junction.
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6. Three properties to the immediate north of the appeal site, Nos 88, 90 and 92, front Filton Avenue in a staggered row. While these properties vary from one another in terms of their architectural form and scale, they are each set back from the road and have ample front driveways. There is also a notable distance between these three properties and the houses behind them which front onto Filton Grove. This degree of separation preserves a sense of spaciousness which contributes to the low-density, residential character of the surrounding area.
7. While the proposal would align with the established staggered pattern along Filton Avenue, the front gable projection would be set back less than 1m from the pavement. As such, the proposal would not be set back from the road to the same extent as Nos 88-92 or other properties along Filton Avenue. Due to its overly prominent siting, the proposal would fail to respond positively to the character of the streetscene. Furthermore, as there would be a distance of only around 16.5m between the proposal and the host dwelling, which would be less than the corresponding distances between the neighbouring dwellings on Filton Avenue and those behind them on Filton Grove, it would appear as a cramped and incongruous addition that would detract from the spacious quality of the surrounding area and appear out-of-keeping with the local pattern of development. The proposal would therefore cause unacceptable harm to the character and appearance of the site and surrounding area.
8. The appellant suggests that as the host dwelling is a bungalow, there is scope for the distance between it and the proposal to be less than the corresponding distance between the two storey houses at Nos 8 and 88. However it appears, from my site visit, that the first floor of No 8 is further away than indicated on the plans and behind a ground floor extension. As such whilst the distance between the proposal and the host dwelling at ground floor level would be somewhat less than the corresponding distance between No 8 and 88; the distance at first floor level between the proposal and the dormer of its host dwelling would be considerably less than that between No 8 and 88 at first floor level. Furthermore, while the slope of the appeal site would slightly lessen the apparent mass and bulk of the proposal relative to the host property, the resultant relationship would still appear overly cramped due to the scale of the proposal and the limited distance between the proposal and the host property.
9. Due to the varied character and scale of Nos 88-92, I agree that the style and scale of the proposal would be acceptable when considered within the streetscene. While the proposal would not be subservient in height and scale to the host property, it would be seen within the context of Filton Avenue and so would be acceptable in this context. I also consider that the proposed private amenity space would be acceptable and would relate positively to the proposed dwellinghouse. However, the proposal would nonetheless be unacceptable for other reasons as stated above.
10. I conclude that the proposed development would cause unacceptable harm to the character and appearance of the site and surrounding area. The proposal would therefore conflict with Policy BCS21 of the Core Strategy (2011) (the Core Strategy) which states that new development should deliver high quality urban design. The proposal would also conflict with Policies DM21, DM26, DM27 and DM29 of the Site Allocations and Development Management Plan 2014 (the SADMP) which respectively state, amongst other things, that development of garden land should not result in harm to the character and appearance of an

area, that development proposals will be expected to contribute towards local character and distinctiveness, that the development should have a setback that relates to the street alignment, and that new buildings should be designed to a high standard of quality in relation to the public realm.

11. The proposal would also conflict with the National Planning Policy Framework 2019, which states that planning decisions should ensure that developments will function well and add to the overall quality of the area.

Highway Safety

12. From the drawings, the forecourt of the proposed dwellinghouse would comprise a macadam parking area for a single vehicle and a paved area providing a pedestrian path between the front door and the pavement. The macadam area has an irregular, quadrilateral shape, measuring around 2m in width and between 4.2m-4.9m in depth. As the proposed parking space would not correspond with the standard parking space dimensions set out within Appendix 2 of the SADMP, it is possible that any parked vehicles would overhang the pavement and obstruct pedestrian movements along the adjacent pavement.
13. In their statement of case, the appellant argues that there is sufficient space for a vehicle to park onsite. However, this would only be possible if the vehicle was to park onto the paving area. This arrangement would obstruct the path from the front door to the pavement for pedestrians and make it difficult to move waste, recycling bins and bikes from the shed and side garden to the roadside, especially if a large car was parked in the space. The proposal would therefore fail to provide an appropriately sized parking space.
14. Furthermore, while the drawings demonstrate that the driver of the parked vehicle would have a 45-degree visibility splay to the north, visibility to the south would be obstructed by a 0.9m-high wall on the southeast boundary which would be too tall to see over when seated in a car. This limited visibility would hamper the driver's ability to emerge safely onto Filton Avenue, especially if their vehicle was in reverse gear. This arrangement would be particularly dangerous given the high volume of traffic travelling from south to north on the nearest lane of traffic and the close proximity of the nearby bus stop. Due to the poor level of visibility that would be afforded to vehicles leaving the site, and the high level of activity on the adjacent road, the proposal would cause unacceptable harm to highway safety.
15. I note the road accident data provided by the appellant. However, due to the size of the proposed parking space and its siting relative to the nearby bus stop, I do not consider that the proposed parking arrangement is typical of the area. As such, this evidence does not provide support for the proposal before me.
16. The appellant has suggested that a condition to make the proposal car-free would be acceptable. However, as the proposed scheme would incorporate a driveway, such a condition would not be enforceable and would be contrary to a key feature of the scheme.
17. For the above reasons, I conclude that the proposed development would cause unacceptable harm to highway safety. The proposal would therefore conflict with Policy BCS10 of the Core Strategy, which states that developments should

be designed and located to ensure the provision of safe streets. The proposal would also conflict with Policies DM23 and DM27 of the SADMP, which states that development should provide safe access onto the highway network and should contribute to the creation of safe and sustainable places.

Other Matters

18. While I agree that the proposed private amenity space would be sufficient for future occupants, this consideration does not overcome the issues identified above.
19. The appellant states the proposal would make efficient use of the appeal site and contribute a two-bedroom, energy efficient house to the local housing supply. However, the modest addition of a single house does not justify the level of harm which would result from the proposal. Furthermore, while it is noted that the proposal would not cause unacceptable harm to the living conditions of neighbouring occupants, the absence of harm cannot be considered a benefit, and so this does not provide justification for the proposal.

Conclusion and Recommendation

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

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

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

Andrew Owen

INSPECTOR