



Appeal Decision

Site visit made on 18 January 2021 by Ben Phillips Bsc MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 1 February 2021

Appeal Ref: APP/Z0116/W/20/3260448

183 Ullswater Road, Southmead, Bristol BS10 6ED

- 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 Selway against the decision of Bristol City Council.
 - The application Ref 20/01198/F, dated 13 March 2020, was refused by notice dated 2 July 2020.
 - The development proposed is described as a two storey side extension to accommodate a 4no. bed 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.

Procedural Matters

3. It is understood that the plans were amended following Officer feedback during the consideration of the application. The Council determined the application on the basis of these amended plans and I shall do the same.

Main Issue

4. The main issue in this case is the effect of the proposed dwelling on the character and appearance of the surrounding area.

Reasons for Recommendation

5. The appeal property is sited on the corner of Ullswater Road and Mardale Close. Ullswater Road is a lengthy suburban residential road, mostly characterised by similar pitched roofed terraced or semi-detached dwellings set back from the road behind gardens and parking areas, with a consistent building line and largely open corner plots such as the appeal site, contributing to the area's open, spacious character. Mardale Close is a small pleasant cul de sac, carefully and symmetrically designed, consisting of three terraces set around a central open area, again with a consistent set back and open frontages providing a spacious character.
6. The development of the side garden of the host property as proposed would significantly erode the open appearance of the appeal site by extending up towards Mardale Close. Its siting at the entrance to this road would conflict

with the symmetrical design of the entrance to this cul de sac. The new dwelling would appear as a prominent, incongruous addition in the street scene when viewed from both Ullswater Road and Mardale Close.

7. Moreover, whilst the proposed materials and fenestration details would be in keeping with the locality, the gable roof form of the proposed dwelling would appear at odds with the hipped roof form of the terrace of which it would form part and the dwelling on the opposite side of Mardale Close entrance, further harming the uniformity and symmetry of dwellings on this side of Ullswater Road and the entrance to Mardale Close.
8. Whilst there are examples of gabled roofs elsewhere in the vicinity, including on the opposite side of Ullswater Road, these dwellings are not viewed in the same context as the appeal proposal would be and accordingly do not provide justification for the proposal.
9. Furthermore, whilst the plans show some soft planting and there is a shorter boundary wall opposite, the proposed 1.8m tall side boundary wall, replacing a shorter existing hedging, would, given its height and prominent siting, appear enclosing to the access to Mardale Close, and further reduce the open and spacious existing character of the cul de sac.
10. The appellant points to examples of similar development nearby. The development at No 513 Southmead Road appears to be an extension to the side, set back and down from the original property with a hipped roof, thus is not comparable to the proposal before me. Photographs are also provided of Nos 203 and 197 Ullswater Road, which appear to show the same dwelling, and in this case the development appears to be a side extension with a hipped roof. The property also does not appear to be on a corner site.
11. A photograph is also provided of Nos 533 and 535 Southmead Road, and No 576 Southmead Road. However, no details of the circumstances leading to the granting of planning permission for these developments has been provided and thus I am unable to ascertain if they are directly comparable to those before me in this case. Moreover, it is clear that the context of these developments is different to that before me in this case. Furthermore, each application and appeal must be considered on its individual merits, and this is the approach that I have taken in my consideration of this case.
12. I acknowledge that the proposal would provide additional family accommodation for the appellant's growing family, in addition to making an effective use of land and a contribution to the Government's objective of significantly boosting the supply of homes and that the location of the appeal site is close to numerous facilities. The scale of the dwelling and garden provided would be in keeping with the surroundings. I attach moderate weight to these matters.
13. I also acknowledge that the proposal would provide acceptable living conditions to the occupiers and nearby occupiers, that the building would be constructed to modern building standards and include solar panels and suitable cycling and bin storage areas would be provided. In addition, I note that no objection is received regarding the parking provision or access arrangements. However, these matters are neutral factors which neither weigh in favour or against the scheme, because they would be expected of any well-designed development.

14. It is understood that there was some confusion regarding the decision of the Council and that it was intimated that the development had officer support, however the final decision of the Council is clear and substantiated. The appellant also points to possible permitted development rights extensions. However, no details are provided of this or whether there would be a greater than theoretical possibility that such development might take place. This therefore limits the weight I can give this matter.
15. Against the submitted benefits of the proposal is the substantial harm that would be caused to the character and appearance of the area. I find therefore that the benefits of the scheme do not individually, or cumulatively, outweigh the harmful impact identified. It is noted that the proposal did not attract objections from neighbouring residents, however, this does not alter my conclusions on the main issue.
16. In light of the foregoing I conclude that the proposed dwelling would be out of keeping with, and harmful to the character and appearance of the surrounding area, in conflict with Policies DM21, DM26, DM27 and DM29 of the Bristol Local Plan: Site Allocations and Development Management Policies Local Plan 2014 (LP), and Policy BCS21 of the Bristol Development Framework: Core Strategy (2011) (CS) which collectively set out that development should be appropriate to the immediate context, be of a high quality, and specifically that development of garden land should not result in harm to the character and appearance of an area. These policies are broadly consistent with the National Planning Policy Framework which sets out that developments should add to the overall quality of the area and are sympathetic to local character.
17. Notwithstanding the above, the Council also reference LP Policy DM17 and CS Policy BSC9, which refer to development involving existing green infrastructure and open space, not including private gardens. As such, these policies are not relevant in this regard.

Conclusion

18. 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

19. 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