



Appeal Decision

Site visit made on 23 November 2021

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 December 2021

Appeal Ref: APP/Z0116/W/21/3280337

234 Frenchay Park Road, Bristol, BS16 1LD.

- 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 G Palomeque against the decision of Bristol City Council.
 - The application Ref. 21/00067/F, dated 8 January 2021, was refused by notice dated 11 June 2021.
 - The development proposed is the erection of an attached side extension to form a 2 bedroom, self-contained house with associated parking and access.
-

Decision

1. The appeal is dismissed.

Preliminary matters

2. The appellant has submitted a revised plan of the visibility splays at the proposed access along with the appeal documents. Having regard to the principles established in the case of Wheatcroft, I am satisfied that the amendments do not fundamentally change the basic format of the proposal and do not require additional consultation with the local community. I will therefore take the revised plan into account.
3. Since the lodging of the appeal, the appellant has submitted a proposal to add a two storey extension to the property, in the same location as the appeal scheme, and the formation of an access and two parking spaces. This has been permitted by the Council under ref. 21/03947/H. I have had regard to this scheme as a material consideration which the appellant regards as a fallback position.

Main Issues

4. The main issues are:
 - the effect of the proposed attached dwelling on the character and appearance of the area; and
 - the effect on highway safety.

Policy context

5. The appellant asserts and the Council does not dispute that it cannot demonstrate an adequate housing land supply at the moment, therefore paragraph 11(d) of the National Planning Policy Framework (the Framework) is

engaged in this case. The actual shortfall is not described but the parties agree that the 2020 Housing Delivery Test published in January of this year shows that recently Bristol has only delivered 72% of its housing requirement. The Council describes the reasons for this, but these do not alter the position regarding the test in the Framework to be applied.

Reasons

6. The appeal site comprises a two storey semi-detached property which lies in a frontage of similar properties in a mainly residential area although there is a sports field and clubhouse on the opposite (north-western) side of Frenchay Park Road. The rear garden of the property stretches to the south to a loose surfaced track which provides rear access to the properties and the host property has a garage there. The existing house has rendered elevations and a tiled roof and a two storey bay window which are common features on most of the dwellings in the local part of the street. There is a post box on the pavement and a designated bus stop on the highway partly outside of the application site.
7. It is proposed to construct a dwelling attached to the side of the existing house and hard surface most of the front garden to form two parking spaces (one for the new house and one for the existing No. 234) and also utilise the garage at the end of the rear garden for the new property.

Effect on character and appearance

8. Although the appeal site is located on the northern fringe of Bristol, I am satisfied that it lies in an area with reasonable accessibility not far from local day to day facilities and it is on a bus route. The relevant development plan policies do not restrict the principle of additional development here subject to site specific impacts.
9. The appeal site is seen in the context of similar houses along the frontage of the local part of Frenchay Park Road although the 'semis' of the host property is unusual as they lie at a slight angle to the street. At the visit I also noted that many of the houses in this frontage have had extensions added including a side extension to No. 232 adjacent to the appeal site and a 'hip to gable' roof extension at No. 230. Although the spaces between the properties is not extensive, they play an important role in forming the residential character of this street.
10. While the proposed house would maintain some of the design characteristics of the host property, including having the 'front door' at the side, the width of the structure and the large window at first floor would draw attention to the scale of the large addition and, visually, it would not fit easily with the regular proportions of the group of semis. Moreover, the building bulk of the new house would occupy much of the gap to the party boundary, and because of the angled plot, the house would be more prominent in the frontage beyond the general building line of other properties.
11. Taking all of these factors together I find that the new house proposed would not maintain the character and appearance of the host property and would appear prominent and cramped in the street scene adding to an undesirable 'terracing' effect. As such the proposal would significantly harm rather than contribute positively to the distinctiveness of the area and not meet the

requirements of Policy BCS21 or Policies DM26, DM27 and DM30 of the SADMP. Further, the proposal would be at odds with the emphasis placed on achieving well designed places as set out in section 12 of the Framework.

12. I have taken account of the permitted extension to the property which is an alternative to the appeal scheme. Although there are no dimensions given of the new building work on the plans, the width of the permitted extension appears less than the new dwelling proposed, and there would be a wider gap to the party boundary. There would also be a greater visual 'set back' of the building bulk from the front elevation and the proposed two storey flank wall would not extend so deep into the site. I see these differences as making a material difference to the visual impact of the scheme where the extension reasonably fits in with the environs of the host property but an additional independent dwelling would not be compatible with the prevailing character of the house and the neighbourhood.

Highway safety

13. The proposal involves the formation of a vehicular access to Frenchay Park Road and the construction of two parking spaces at the front of the properties. The Council does not take issue with the provision of parking for the existing and proposed houses, and it is satisfied that the submitted 'Swept Path Analysis' shows that a light vehicle can enter and leave the site/parking spaces in a forward gear, although in practical terms the manoeuvre that a vehicle would have to perform looks tight and convoluted.
14. The Council's concerns over the visibility splays for the new access relate to the original proposal not meeting the standard set out in Manual for Streets (MfS) however, the minor change in the 'x' distance shown on the revised plan as mentioned in paragraph 2 above would provide a stopping distance of 43m and so meet the appropriate standard.
15. Although minor changes to the highway could be subject to a 'Grampian' style planning condition, as referred to in condition 3 of the permitted extension scheme, this does not extend to changes to the presence of the bus stop. I have concerns that the visibility to the east (right hand side when exiting the proposed access) would be frequently disrupted by the presence of a bus in the designated bay. When coupled with the practical problems of manoeuvring into the proposed parking spaces I find that it has not been reasonably demonstrated that the new access to an additional dwelling can be formed and would function without harming highway safety. This would be contrary to the provision of SADMP Policy DM23 and the guidance in paragraphs 110 and 111 of the Framework.

Planning balance

16. On the main issues I have found that the proposed independent but attached dwelling would be of a scale and form which would appear both prominent and cramped in the street scene and would have a significantly harmful visual effect on the appearance of the area and would not reflect the present character and distinctiveness of the area. This effect would be materially different to the scheme for the extension of the existing dwelling as recently permitted by the Council. In highway terms while some of the elements on the highway/pavement could be relocated to accommodate the access, I have found that the manoeuvring involved to form parking for an independent

dwelling and the restriction of visibility caused by the frequent presence of a bus at the bus stop, would be harmful to highway safety. The proposal conflicts with the relevant policies in the development that have been identified.

17. To be balanced with these impacts, I recognise that the proposal would add an additional residential unit to the supply of new housing which has recently been under-delivered locally. The proposal also makes more effective use of land that has already been developed.
18. However, I find that these benefits do not outweigh the significant adverse effects, including the conflict with the guidance in the Framework on achieving a well-designed place that is sympathetic to local character, and that new development should have safe and suitable access. The proposal conflicts with the Framework when this is read as a whole and does not constitute sustainable development.
19. Overall, I conclude that the other considerations that arise in this case do not outweigh the conflict with the development plan and this indicates that the appeal should not be allowed.

Conclusion

20. For the reasons given above I conclude that the appeal should be dismissed.

David Murray

INSPECTOR