

Appeal Decision

Site visit made on 4 January 2022

by C J Ford BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2022

Appeal Ref: APP/Z0116/W/21/3280094

161 Whiteway Road, St George, Bristol BS5 7RR

- 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 White against the decision of Bristol City Council.
 - The application Ref 21/02112/F, dated 15 April 2021, was refused by notice dated 10 June 2021.
 - The development proposed is described as "Proposed ground and first floor side extension".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposed development in the header above is taken from the original application form. However, in dealing with the application, the Council described the proposal as "Proposed two storey side extension to create new dwelling". In the interests of clarity, the appeal has been determined on the basis of the Council's description.
3. A revised version of the National Planning Policy Framework (the Framework) was published in July 2021 and the main parties were given the opportunity to submit comments. The 2021 version of the Framework is referred to in the decision.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host property and the wider area.

Reasons

5. The appeal site and 2 Kingsmead Road occupy a highly prominent street corner position alongside the junction of Kingsmead Road with Whiteway Road, which forms part of a crossroads. As the common boundary between the two properties has a diagonal alignment from the street corner, each has a triangular shaped plot.
6. In the original design of the appeal site and the neighbouring development on the north side of Whiteway Road, the built form distinctly comprised of modest two storey semi-detached houses with perpendicular external walls. As corner plot properties, the appeal site and No 2 were afforded particularly wide side gardens alongside the junction, as were 159 Whiteway Road and 1 Kingsmead

Road on the other street corner. Consequently, as a group, the side gardens would have created a very spacious entrance to Kingsmead Road.

7. Over time, this spaciousness has been reduced by the development of detached infill properties in the side gardens of No 159 and No 1, (numbered 159A Whiteway Road and 1A Kingsmead Road respectively). It has also been reduced at the appeal site through the construction of a sizeable two storey side extension and an adjoining single storey garage. However, despite these significant changes, an important sense of spaciousness has been maintained alongside the junction, largely due to the front corners of the two storey elements at 159A and the appeal site being kept a good distance back from the side boundaries.
8. In the proposed scheme, the front corner of the two storey element would be positioned closer to the side boundary than at present, the existing open area above the garage would be lost, and a single storey side extension would further reduce the size and width of the side garden. Consequently, the remaining important sense of spaciousness alongside the junction would be harmfully eroded. Furthermore, in responding to the restriction imposed by the diagonal alignment of the side boundary, part of the flank wall to the two storey element would adopt an irregular angle. This would be a stark departure from the characteristic perpendicular walls to the main part of the dwellings in the area, and it would result in the property having an awkward and cramped appearance within its plot. While part of the flank wall to the existing garage adopts the same angle, its less prominent single storey height and ancillary form is distinguishable in this regard.
9. The proposed scheme would also result in the host property, which has already been greatly extended to the side, in having an over-extended and unbalanced appearance, both in its own right and set against the modest proportions of the attached neighbouring dwelling. While the appellants have suggested the scheme would lead to the appearance of a terrace, its significant width would be incongruous amongst the distinctive neighbouring semi-detached properties and later infill detached houses. Furthermore, in the nearby terraces that are found on Whiteway Road, the constituent properties have a common and harmonious design, whereas in the appeal development they would be individual and disjointed.
10. The proposed planting to the front and the side garden, including some small trees, would fail to successfully mitigate the aforementioned harm to the host property and the street scene. Moreover, notwithstanding the fact the scheme would respect the roof design and the materials of the host and other properties in the locality, it would not represent a visual improvement over the existing garage and side garden arrangement.
11. The appellants have drawn attention to an existing side extension at 9 Meadow Vale¹. However, it appears to be of a similar, if not smaller scale to the existing extensions at the appeal site. Moreover, it was considered against a different planning policy context and does not occupy a highly prominent position alongside a crossroads. It is therefore not directly comparable and it does not justify the harm that would arise from the appeal scheme which has been considered on its own merits and with regard to its particular location and circumstances.

¹ Council Ref: 09/00161/F

12. In light of the above, the proposed development would have an unacceptably harmful effect on the character and appearance of the host property and the wider area. As such, it would conflict with Policy BCS21 of the 2011 adopted Bristol Core Strategy, and Policies DM26, DM27 and DM29 of the 2014 adopted Bristol Local Plan Site Allocations and Development Management Policies. Amongst other things, these policies seek to ensure new development delivers high quality urban design which contributes positively to an area's character and identity, respecting the local pattern of development and reinforcing local distinctiveness. It would similarly conflict with the Framework's promotion of good design, and the Council's 2005 Supplementary Planning Document Number 2 which notes that over-large extensions can affect the visual quality of an area and the street scene, as well as unbalance the appearance of the existing building.

Other Matters

13. While the appellants highlight there were no objections from members of the public to the proposed development, and there have been representations at the application and appeal stages in support, it nevertheless falls to be duly considered against planning policy.

Planning Balance

14. As the Council's delivery of housing was substantially below (less than 75%) of the housing requirement over the previous three years, paragraph 11 d) of the Framework is engaged. This sets out that planning permission should be granted, subject to two tests. The relevant test in this case is whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Paragraph 219 of the Framework makes it clear that due weight should be given to existing development plan policies according to their degree of consistency with the Framework.
15. The Framework promotes good design and paragraph 130 states that planning decisions should ensure that developments function well and add to the overall quality of the area, are sympathetic to local character and maintain a strong sense of place. In these regards, it is supportive of Policies BCS21, DM26, DM27 and DM29.
16. Therefore, even when taking account of the Framework's objective of significantly boosting the supply of homes, its promotion of the development of under-utilised land, the acknowledged important contribution that small windfall sites can make to meeting the housing requirement of an area, and the Council's housing delivery situation, the conflict between the proposal and the policies listed above should be afforded significant weight in the determination of the appeal.
17. Set against this, benefits of the development include the provision of a market dwelling in a sustainable location and its one bedroom size would positively add to the local housing mix. There would also be economic benefits associated with its construction and subsequent occupation, including spending at local shops and services. However, as the proposal is for just one house, it would make a very limited contribution to the local housing supply, housing mix and economy. The cumulative benefits of the proposal are therefore only afforded limited weight.

18. Consequently, when assessed against the policies in the Framework taken as a whole, the adverse impacts of granting planning permission, namely the identified harm to the character and appearance of the host property and the wider area, would significantly and demonstrably outweigh the benefits.

Conclusion

19. The proposal would conflict with the development plan as a whole and there are no material considerations, including relevant parts of the Framework, which indicate that the decision should be made otherwise than in accordance with it. The appeal is therefore dismissed.

C J Ford

INSPECTOR