



Appeal Decision

Site visit made on 4 October 2022

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2022

Appeal Ref: APP/Z0116/W/22/3297760

1 Maceys Road, Hartcliffe, Bristol BS13 0NQ

- 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 John Plucknett against the decision of Bristol City Council.
 - The application Ref 21/05045/F, dated 7 May 2021, was refused by notice dated 17 February 2022.
 - The development proposed is described as 'Erection of a two-storey side extension to 1 Maceys Road to provide 2no 2-bedroom apartments with vehicular access, refuse store and cycle rack on land adjacent to 1 Maceys Road, Bristol, Hartcliffe, BS13 0NQ'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The above description of development is taken from the original application form. However, the Council's decision notice describes the proposal as a two-storey, two-bedroom dwelling attached to 1 Macey's Road. This description accurately describes the plans submitted with the application. The Council based its decision on these plans and for avoidance of doubt this is the basis of this appeal decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is a side garden space of a dwelling on a corner plot. It is near the edge of a housing estate at the fringe of the City. In the vicinity of the appeal site, the built form comprises short terraces of dwellings. While there is a degree of variation, dwellings are generally set back from the estate roads to a consistent degree behind front gardens and parking areas and form a consistent building line. Despite the relatively close-knit built form, the occasional gap between the properties and spaces at some street corners help to create a sense of openness within the estate.
5. This sense of openness is evident near the appeal site, where its relatively undeveloped space allows views to the gaps between terraces opposite, and to the high ridge of countryside beyond. I saw that in an estate where green spaces were generally limited to front and rear garden spaces or intermittent green verges in the street scene, this feature positively contributes to the appearance of the area.

6. No 1's front elevation addresses Macey's Road, but the side elevation of this existing dwelling roughly aligns with the line of the front elevations of dwellings to its rear, on Tewther Road. This allows the relative openness of the appeal site and the views towards the edge of the estate to be appreciated in this part of Tewther Road.
7. The proposed dwelling would match the height of the existing dwelling at No 1. Its mass and footprint would also be similar to that of this existing dwelling and those that would surround it. It would not be a subservient addition to the street scene in this regard. Moreover, it would substantially fill the existing space at the appeal site. Although it would match the building line of properties on Macey's Road, its main entrance would front Tewther Road. This proposed principal elevation would stand significantly forward of nearby properties on that road. This would disrupt the existing generally consistent building line on Tewther Road.
8. This harmful disruption in the street scene would be slightly reduced by the presence of the rear garden space at No 1, and the separation that this would provide between the new dwelling and properties on Tewther Road. However, only a slither of land would be retained at the corner of the appeal site, and the new dwelling would substantially block the existing views of the gap between the terraces opposite, and the countryside behind. This would considerably alter the open and green appearance of this part of the street.
9. The appellant has directed me to a number of developments in the estate which include those at 55 Aldwick Avenue and 34 Mellent Avenue. However, these were permitted many years ago when the planning context was different to now. These examples are not directly comparable to this proposal for this reason.
10. The development at 72 Tewther Road, unlike this proposal, roughly aligns with a dwelling opposite, and is distinctly different in this regard. 33 and 35 Aldwick Avenue are not near the green edge of the estate and have wide green verges to their front. Consequently, the location of these developments and the surrounding features are not directly comparable to that of the appeal site.
11. The dwelling at 56 Mellent Avenue is at the edge of the estate, but it bounds a no through road where there are still open views of vegetation. I have limited details regarding the development at No 6 which partially fills a gap at the edge of the estate. However, I saw a significant space was retained next to that property. These other developments, even when similar to the appeal proposal, also do not provide an overriding effect upon the character and appearance of the area. Moreover, I find no compelling evidence that the Council has been inconsistent in its decision making, and the examples identified in this case have not altered my findings in this appeal for the reasons set out above.
12. The proposal would lead to a substantial erosion of positive features in the street scene. In conclusion on this main issue therefore, the proposal would harm the character and appearance of the area. In this regard it would conflict with Policies BSC20 and BSC21 of the Bristol Development Framework Core Strategy and Policies DM21, DM26, DM27 and DM30 of the Bristol Local Plan Site Allocations and Development Management Policies. These collectively require that new development in Bristol should deliver high quality urban design and, amongst other matters, any development on garden land should not result in harm to the character and appearance of an area.

13. It would also be inconsistent with design guidance set out in the Bristol City Council Supplementary Planning Document A Guide for Designing House Alterations, and the National Planning Policy Framework (the Framework) which seeks well-designed places.

Planning Balance and Other Matters

14. I am aware that the latest Housing Delivery Test measurement indicates that the delivery of housing in Bristol was substantially below (less than 75% of) the housing requirement over the previous three years. Therefore, the approach as set out in paragraph 11 d of the Framework is relevant in this case. I have consulted the main parties on this matter through this appeal process, but no substantive comments were submitted in response.
15. The proposal would result in economic benefits with regard Community Infrastructure Levy payments and the council tax that future occupants would be required to pay. These occupants would also likely support local schools, shops and businesses, and in respect to social benefits they would contribute to the vibrancy of the local community. There would be environmental benefits in respect to incorporated climate change features, waste management, cycle storage, water conservation and energy efficiencies that exceed that required by Building Regulations, and these features could be secured by condition. However, these benefits would be small given the scale of the development and I attach them limited weight for this reason.
16. The proposal would in small part support the Government's objective of significantly boosting the supply of homes and would add to the mix of housing in the area. The proposal would result in a family sized dwelling coming to market, but one new dwelling would make a small contribution to the supply of housing in the area. Whilst there may be potential for it to be a self-build site, I see no mechanism before me to ensure this outcome. This aside, it would be a small windfall site that is well related to local services, and modes of transport other than the car, and this weighs in favour of the proposal and I attach modest weight to this in this appeal.
17. However, the definition of previously developed land in the Glossary of the Framework excludes land in built-up areas such as residential gardens, so this matter is not relevant in this case. Moreover, the Framework states that good design is a key aspect of sustainable development. Decisions should promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment. In respect to achieving appropriate densities and the efficient use of land, the Framework requires account is taken of the desirability of maintaining an area's prevailing character. As outlined above I have found that this would not be the case with this proposal, and it would not result in an effective or efficient use of land, nor would it be a suitable site for the purposes of the Framework for this reason. In this respect it would conflict with the Framework and Local Plan policies which are generally consistent on this matter.
18. The Council does not have Local Plan policies setting out minimal internal floorspace standards. Therefore, in accordance with the guidance contained within the Planning Practice Guidance (PPG), I am unable to have regard to the Government's Technical housing standards – nationally described standard in this case.

19. However, adequate internal living and garden space would be provided. Furthermore, off-street parking and vehicular access would also be acceptable. These are neutral factors in this appeal. I note there are no objections raised by existing residents, but I have to consider the likely long-term effects of the proposal. Consequently, these matters do not weigh in favour of the proposal.
20. My attention has been drawn to other development plan policies and practice notes covering matters that are not in dispute. However, the proposal would be contrary to design policies, and in conflict with the development plan when read as a whole.
21. I therefore find that even when considering the benefits cumulatively, the substantial harm identified in this case with regards the adverse impacts on the character and appearance of the area would significantly and demonstrably outweigh the at best modest benefits of the proposal, when assessed against the policies in the Framework taken as a whole.

Conclusion

22. For the reasons stated above and having regard to the development plan, and all relevant material considerations, including the Framework, the appeal is dismissed.

A J Sutton

INSPECTOR