



Appeal Decision

Site visit made on 24 November 2023

by Lewis Condé Msc, Bsc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2024

Appeal Ref: APP/Z0116/W/23/3323865

24 Belland Drive, Whitchurch, Bristol, BS14 0EW

- 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 Kazaz, MK Property Care Management Ltd, against the decision of Bristol City Council.
 - The application Ref 21/06538/F, dated 6 December 2021, was refused by notice dated 24 May 2023.
 - The development proposed is Erection of detached dwellinghouse.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site address and appellant name in the banner heading above are taken directly from the original planning application form. The address used on the Council's decision notice and by the appellant on the appeal form is instead 'land adj. 16 & 24 Belland Drive, Bristol, BS14 0EW'. This is a more accurate description of the site address, and the appeal has been considered on this basis.
3. A revised version of the National Planning Policy Framework (the Framework) was issued on 19 December 2023. Both main parties were offered the opportunity to comment on the implication of the changes to national policy on the appeal proposal. Where received, comments have been taken into account.

Main Issue

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

Reasons

5. The appeal site is an open grass verge on Belland Drive. It sits between a two-storey residential property (no. 16 Belland Drive) and a three-storey, flat roof terrace building, that contains a parade of shops/commercial properties at groundfloor level, with residential units above.
6. The appeal site is broadly triangular in shape, narrowing in width towards its rear. The site is located at a curve in the road which, together with its position adjacent to the parade of commercial units, results in it being rather prominent within the streetscene. It also acts somewhat as a visual break/relief between the commercial and residential elements in the street scene.

7. Notwithstanding the adjacent commercial parade, the surrounding area has a primarily suburban residential character. Dwellings nearby vary in their precise design and detailing but are typically good sized detached or semi-detached properties. They also tend to have a general consistency in terms of their size, plot widths, and the positioning of dwellings within their respective plots. Although some houses are sited quite close together, the general scale and layout of buildings and plots achieves a relatively spacious character.
8. The proposed detached dwelling would be of a scale generally reflective of surrounding properties. However, due to the shape and size of the plot it would be positioned tight to the northern boundary of the site. This would result in very limited separation between the proposed dwelling and the flank elevation of the adjacent three-storey commercial/residential building. Additionally, the constrained nature of the site would result in most of the usable garden space being provided to the front and side of the proposed dwelling, in contrast to the typical arrangements for surrounding residential properties.
9. Together the size of the proposed dwelling, the layout of its plot, as well as its positioning within the plot and relative to adjacent built form, would combine to make the proposal appear as a cramped form of development that would be at odds with the surrounding residential properties. Nor would the design and close relationship of the proposed dwelling relate well to the adjacent commercial properties. The proposal's cramped and rather contrived appearance would be further accentuated due to its prominent position in the streetscene.
10. The appellant has sought to take design cues from neighbouring residential properties, for example, through a general simple form with the use of a gable front and similar roof profile. Be that as it may, such design aspects do not overcome the fundamental concern that the cramped appearance of the scheme do not represent a suitable form of development.
11. Whilst reasonably localised in its extent, the effect of the scheme would be to unacceptably harm the character and appearance of the area. Accordingly, the development conflicts with BCS21 of the Bristol Core Strategy (adopted 2011) and policies DM26, DM27 and DM29 of the Council's Site Allocations and Development Management Policies Local Plan (adopted 2014). Together these policies, amongst other matters, seek to ensure development achieves a high standard of design, that responds appropriately to local character and distinctiveness.
12. Likewise, the proposal does not accord with the policy ambitions of the Framework in respect of promoting high standards of design.
13. In reaching the above view, I appreciate that the site is not designated as an area of important open space. Nevertheless, it still provides some visual relief to the built form within the streetscene, while it remains that the cramped and rather contrived form of development proposed would still detract from the character and appearance of the surrounding area.

Other Matters

14. The appellant has brought my attention to examples of other developments in the vicinity of the site, whereby green space has been developed upon. It is claimed that these examples are of a similar context and therefore provide

support for the appeal proposal. I do not have the full background details of each of the relevant schemes, however, from the information before me and my observations on site there are notable differences with the appeal scheme.

15. Firstly, the development at no. 21 Belland Drive (no. 21) sits adjacent to public open space, with residential buildings only along its one side. Compared to the appeal scheme, the plot arrangements and siting of no. 21 also more closely follow the adjacent built form, such that it does not appear to be an awkward or cramped form of development.
16. Similarly, no. 15 Belland Drive (no. 15) occupies a more spacious corner plot next to a road junction. No.15's plot size and the spacing of the dwelling with adjacent built form also ensures that it sits more naturally in the streetscene compared to the appeal proposal.
17. Other examples provided relate to entirely different forms of development, for example, extensions to existing residential properties or a large-scale housing development at an allocated site. As such, their contexts including the likely planning considerations are not directly comparable to the scheme before me. My decision therefore does not turn on these matters.
18. I note the appellant's frustrations with the way the local planning authority dealt with the application and also the concerns surrounding the validation process of both the original application and this appeal. However, the appeal scheme has been determined on its planning merits.

Planning Balance and Conclusion

19. The proposal would conflict with Policies BCS21, DM26, DM27 and DM29 of the adopted development plan for the reasons previously set out. These are important policies that seek to promote high-quality design and safeguard local character and distinctiveness. The appeal scheme therefore conflicts with the development plan as a whole.
20. The Council cannot demonstrate a five-year housing land supply as detailed within the Framework, and from the evidence before me the shortfall is significant. In such circumstances, Paragraph 11d)ii) of the Framework advises that permission should be granted, unless any adverse impacts of doing so, would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
21. When judged against some of the core planning principles the proposal would perform well in that it would be in an urban area with good access to facilities and services. The appellant has also highlighted an intention for the development to incorporate low-carbon and renewable energy technologies, which again would contribute towards a sustainable form of development. However, good design is also a key aspect of sustainable development.
22. There would be a small social benefit in providing an extra housing unit, in an area where I understand there to be particular demand for two-bedroom houses. Economic advantages would also arise from the construction and occupation of a new house. I am also mindful that the Framework seeks to significantly boost the supply of housing and recognises that small sites are an important aspect of meeting an area's housing requirement. Nevertheless, the overall benefits of the proposal would be limited given that it involves the provision of a single dwelling.

23. The proposal may also comply with a range of other planning policy requirements, as highlighted by the appellant. However, this is to be expected of new development proposals. Consequently, these are neutral matters in the planning balance.
24. Against the identified benefits, the harm to the character and appearance of the area would be significant and is a matter to which I attribute considerable weight. When assessed against the policies in the Framework taken as a whole, I find that the adverse impacts would significantly and demonstrably outweigh the benefits. The presumption in favour of sustainable development therefore does not apply.
25. For the reasons given above, the proposal conflicts with the development plan when taken as a whole. There are no material considerations, including the provisions of the Framework, that indicate that a decision should be made other than in accordance with it. Accordingly, the appeal is dismissed.

Lewis Condé

INSPECTOR