



Appeal Decision

Site visit made on 3 June 2025

by **P Barton BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8TH July 2025

Appeal Ref: APP/Z0116/W/25/3361258

30 Nevil Road, Bishopston, Bristol BS7 9EQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Padden against the decision of Bristol City Council.
 - The application Ref is 24/03301/F.
 - The development proposed is demolition of existing extension and erection of one new dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I saw during my visit a building under construction on the appeal site. It appeared not to be wholly consistent with the details shown on the submitted plans before me. Therefore, I have based my decision on the submitted plans.

Main Issues

3. The main issues are:
 - the effect of the proposed development on the character and appearance of the surrounding area; and
 - whether the proposed development would provide acceptable living conditions for future occupiers, with regard to the provision of private amenity space.

Reasons

Character and appearance

4. Nevil Road is a predominantly residential street that consists of semi-detached and terraced properties of a similar style and age as the host dwelling. There is a strong uniformed character to the street in terms of the height, massing, building line as well as architectural detailing to the properties. The dominant roof design of the semi-detached and end-terrace properties is a hip roof, and this also contributes to the character and appearance of the area. The noticeable exception, adjacent to the appeal site, is the Sportsman Public House, which is a large and prominent red brick building at the junction between Nevil Road and Seymour Road.
5. The proposal would be attached to the host house and become the new end property of the terrace adjacent to the Sportsman Public House. The new house

would reflect the width, height, external materials and architectural detailing of the properties along the street. However, the proposal would have a gable end roof design, which would also not be perpendicular to Nevil Road due to the angle of the site boundary to the Sportsman Public House.

6. I am mindful that a hip to gable roof extension has been undertaken at the host house and that a Lawful Development Certificate was granted by the Council for this type of extension. A photo of the hip-to gable roof extension was included in the appellant's statement, though I was unable to see this on my visit due to the construction works being undertaken at the appeal site. Nevertheless, from the evidence before me the gable end contrasts sharply with the prevailing hip roof design on the street. Whilst the proposal would screen the gable end of the host house, its own gable end would also represent a stark contrast, and further attention would also be drawn to it by the angular nature of its construction. Consequently, the additional massing to the roof of the proposed new end terrace property would give a top heavy and discordant appearance, as well as unbalancing the symmetry of the terrace and disrupting the regimented nature of the street scene.
7. Whilst I accept that the proposal would not significantly obscure the Sportsman public house from public view, it would reduce the existing visual gap, and the proposed gable end feature would introduce an incongruous feature in close proximity.
8. Reference has been made to a permission for flats as well as an application for a Certificate of Proposed Development including a hip to gable roof extension and rear dormer at other properties. Limited information has been provided on these and as such a comparison is of limited relevance in this instance. I have therefore considered the appeal before me on its individual planning merits.
9. For the above reasons, the proposed development would be harmful to the character and appearance of the surrounding area. This would conflict with Policy BCS21 of the Bristol Development Framework Core Strategy (BDFCS), and Policies DM26 and DM27 of the Bristol Local Plan Site Allocations and Development Management Policies (BLPSADMP). Together these seek the delivery of high quality urban design, including responding appropriately to the massing, shape and form of existing buildings.

Living conditions

10. A very narrow, triangular-shaped area of private amenity space would be provided to the rear of the proposed dwelling. It would provide a very limited area of private amenity space that in parts would be less than 1m wide. I accept that the amount of private amenity space to a dwelling can vary in a densely populated area such as this location, and there are no minimum standards before me. Nevertheless, I am not satisfied that the proposed private amenity space would be of a sufficient size, or of a practical shape, to meet the day-to-day activities of a 3-bed, 5-person dwelling. Moreover, I appreciate that there is an extant consent for a 2-bed house on the site with the same private amenity space. Nevertheless, the proposal before me is for a larger dwelling that could accommodate a greater number of occupants.
11. The parking space, cycle store and bin store to the front of the property would not need to be accommodated within the private amenity space to the rear, and the

suggestion that areas of public space are within walking distance of the site is noted. However, these do not alter my findings in terms of the overall provision of private amenity space on the site for future occupiers.

12. Accordingly, I conclude that the proposal fails to provide acceptable living conditions for future occupants, with regard to the provision of private amenity space. This is contrary to Policies BCS18 and BCS21 of the BDFCS, and Policy DM27 of the BLPSADMP, which seek, amongst other things, the creation of quality urban design that provides adequate, appropriate and useable private amenity space.
13. The Council's decision notice refers to Policy DM29 of the BLPSADMP and the Council's Waste Management guidance. However, these relate to the design of new buildings, and not specifically the provision of outdoor private amenity space, as well as the provision for storing refuse and recyclable material. The proposed development would not conflict with these in relation to the living conditions for future occupiers.

Other Matter

14. I acknowledge the appellant's concerns over the Council's handling of the application and a previously withdrawn application on the site. However, this is not a matter that I can consider under this appeal and it does not alter my findings, in which I have had regard solely to the planning merits of this proposal.

Planning Balance

15. I give significant weight to the conflict with Policies BCS18 and BCS21 of the BDFCS and Policies DM26 and DM27 of the BLPSADMP, which are consistent with the National Planning Policy Framework (the Framework) in ensuring that development is sympathetic to local character and in the creation of a high standard of amenity for future users. As a result, I find that there is conflict with the development plan as a whole.
16. The Council has confirmed that they have a deliverable housing supply of 4.14 years and, consequently paragraph 11 of the Framework is engaged. In such cases, paragraph 11 d) of the Framework identifies that planning permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to securing well-designed places.
17. The proposed development would make a positive contribution by adding a 3-bed dwelling to the housing supply that would be located within an established residential area, though there is an extant planning permission on the appeal site for a 2-bed dwelling. The appellant asserts it would provide for a more efficient use of land. There would also be associated social and economic benefits during the period of construction and once the house is occupied. Moreover, the proposal includes the removal of the existing single storey side extension, which is claimed to be an unsympathetic addition to the host property.
18. The limited scale of the development means that I afford the provision of a new dwelling within the context of the current shortfall, along with the other benefits listed above, moderate weight in favour of the proposed development.

19. It is asserted that the appeal site is not at risk of flooding and would not harm any designated heritage assets. A lack of harm in these respects are neutral considerations that weigh neither for nor against the proposal.
20. On the other side of the balance, there would be harm to the character and appearance of the surrounding area and the living conditions of future occupiers, which would be contrary to paragraph 135 of the Framework. Given the long lasting nature of such effects, I attribute significant weight to this conflict.
21. Therefore, I conclude that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. As such, the presumption in favour of sustainable development set out in paragraph 11 d) of the Framework does not apply.

Conclusion

22. The proposal conflicts with the development plan as a whole and the material considerations, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. Therefore, the appeal is dismissed.

P Barton

INSPECTOR