



Appeal Decision

Site visit made on 5 June 2025

by M Wiltshire CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 30th July 2025

Appeal Ref: APP/Z0116/W/24/3356260

172 Raleigh Road, Bristol BS3 2AR

- 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 Mr Vito Bavetta against the decision of Bristol City Council.
 - The application Ref is 23/04004/F.
 - The development proposed is demolish existing garage and yard walls, then build a new 2 bedroomed sustainable dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the development on:
 - the character and appearance of the area;
 - the living conditions of the occupiers of 2, 4, & 6 Ashville Road with regards to light and outlook; and
 - the living conditions of the future occupiers of the proposed dwelling and occupiers of the existing dwelling with regards to the provision of internal and external space.

Reasons

Character and appearance

3. The appeal site consists of an end of terrace corner property, the building now contains an art supply shop at ground floor at the front of the property, and 3 residential units. The site is on the transition from more dense rows of terraced properties to that of a less dense pattern of semi-detached dwellings. The properties are characterised by relatively small rear gardens or yards, giving a fairly uniform feel to housing in this area. Indeed, even though the yards are small, the modest degree of openness they provide creates a reprieve from the otherwise denser urban form and contributes to the uniformity of housing development.
4. The proposed development would utilise the site of an existing garage and yard to build a new 2 bedroomed dwelling. However, given the proximity of the new dwelling to the rear of No. 172 Raleigh Road and the overall scale of the building compared to the plot size would result in the dwelling appearing cramped on the site. This would be out of keeping with the surrounding fairly uniform housing development characterised by small rear yards I have mentioned above.

5. Additionally, I note the appellant has sought to design the proposed development to make good use of the available land. However, these matters would not mitigate or outweigh the overall significant cramping of the site which is out of keeping with the surrounding fairly uniform housing development of the area.
6. For these reasons, I conclude that the development would be harmful to the character and appearance of the area. Consequently, it would conflict with Policy BCS21 of the Bristol Development Framework Core Strategy, adopted June 2011 (BCS) and Policies DM21, DM26, DM27, DM28 and DM29 of the Bristol Local Plan Site Allocations and Development Management Policies, adopted July 2014 (SADMP). Together, and among other matters, these policies seek to ensure high standards of urban design, which respect local character and distinctiveness in terms of the layout and form, creating a well-maintained public realm, and retaining residential gardens within the development proposed.

Living conditions of neighbours with regard to light and outlook

7. The proposed dwelling would be positioned next to No 2 Ashville Road (No 2). Adjacent to No 2 are the terraced properties No 4 Ashville Road (No 4) and No 6 Ashville Road (No 6).
8. The occupiers of Nos 2, 4 and 6 would perceive the proposed development as a two storey built form, which in overall context would appear overbearing resulting in a loss of light and outlook. The siting of the proposed development is likely to cause a loss of light to the ground floor windows of Nos 2, 4 and 6.
9. The inclusion of the stepped design with part of the building set away from the boundary would not minimise the harmful effect significantly as the building would still be very close to the boundary. The proposed positioning of windows would avoid any harmful overlooking but this cannot mitigate or minimise the identified harm.
10. Therefore, the development would result in harm to the living conditions of the occupiers of 2, 4, & 6 Ashville Road with regards to light and outlook. Consequently, it would conflict with Policy BCS21 of the BCS and Policies DM27 and DM29 of the SADMP. Together, and among of matters, these policies seek to ensure high standards of urban design which safeguard the amenity of neighbouring occupiers.

Living conditions of future and existing occupants with regard to adequate living conditions

11. The amenity space provided would be very small and a significant area would need to be used primarily for storage of recycling and refuse. It would not provide an appropriate and usable amenity space for future occupants of the dwelling. Furthermore, the proposed development would utilise the site of the yard currently used as the amenity space for the existing residential units, thereby removing their amenity space.
12. Therefore, the development would result in harm to the living conditions of future and existing occupants with regards to the external amenity space that would be provided.

13. The proposed 2 storey dwelling would meet the relevant internal floor area requirement, however this would not mitigate the harmful living environment that would result in relation to the outside space provision.
14. Therefore, the development would result in harm to the living conditions of future and existing occupants. Consequently, it would conflict with Policies BCS18 and BCS21 of the BCS and Policies DM27 and DM29 of the SADMP. Together, and among of matters, these policies seek to ensure provision for a range of housing types with high standards of urban design which safeguard the amenity of future and current occupiers.

Conclusion

15. The evidence indicates that the Council's current housing land supply falls below the housing requirement for the five-year period. Paragraph 11 d) of the National Planning Policy Framework (the Framework) explains that in these circumstances, planning 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.
16. The benefits of the provision of a single dwelling to the supply of housing, even taking account of the location where the need to travel would be minimised, would be very modest.
17. The design includes renewable energy provision, and proposals to enhance ecology, however given the modest scale of the proposal, the associated benefits would be very modest.
18. When considered in the round, the adverse impacts of the development in terms of the effects on the character and appearance of the area and the living conditions of the neighbouring residents and future and existing occupiers would significantly and demonstrably outweigh the benefits of the development. The development would not accord with the policies in the Framework taken as a whole.
19. For the reasons given above the appeal should be dismissed.

M Wiltshire

INSPECTOR