The Planning Inspectorate

Appeal Decision

Site visit made on 31 May 2017

by Stephen Hawkins MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 9 June 2017

Appeal Ref: APP/Z0116/W/17/3170018
Garage site next to 2 Brent Road, Bristol BS7 9QU

- 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 D Brahami against the decision of Bristol City Council.
- The application Ref 16/06301/F, dated 18 November 2016, was refused by notice dated 14 February 2017.
- The development proposed is new one and part two storey coach house.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed dwelling on the character and appearance of the area.

Reasons

Character and appearance

3. The appeal site consists of a modest sized, rectangular shaped plot which was formerly part of the rear garden of 12 Springfield Avenue (No 12), but has been subdivided at some stage. It is occupied in part by a prefabricated concrete garage.

4. The surrounding area is predominantly urban. It is generally characterised by medium-sized traditional housing arranged in terraces of varying length, situated in narrow plots with generous rear gardens. The dwellings largely have a similar appearance. Their front elevations are set back at regular distances from the street, behind small front gardens. These factors all contribute to a pleasing sense of uniformity and cohesion in the street scene.

5. The proposed dwelling would occupy a plot of restricted size, considerably smaller than that typical of other residential plots in the locality. Even though the dwelling itself would be of modest scale, almost all of the plot would be occupied by built form. There would be no areas of garden at the front or the rear of the dwelling. As a result, the dwelling would give the strong impression of being 'cramped' on its plot compared with the surrounding development, when viewed in the street scene.

6. The dwelling would be sited directly adjacent to the street. Accordingly, it would be situated well forward of the existing garage and the front elevation of No 2. Its siting would therefore be entirely at odds with the similar alignment

of dwellings set back from the street that is characteristic of the pattern of development in the locality. As a result, the dwelling would appear as an obvious and prominent intrusion of built form into views along the street. This would also give further visual emphasis to its cramped appearance. Overall, the dwelling would therefore appear as an obtrusive and incongruous feature in the street scene.

7. I acknowledge that the side elevations of No 12 and 14 Springfield Avenue (No 14) on the opposite corner are directly adjacent to the street. Nevertheless, 2 Brent Road (No 2) and other nearby houses on that street would form the more immediate context of the dwelling. Consequently, it is the relationship between the dwelling and properties fronting Brent Road which is more relevant to assessing its effect on the street scene. I also acknowledge that the site is in a rather neglected condition. However, for the reasons identified above, its appearance would not be significantly improved by the dwelling.

8. Consequently, the dwelling would cause unacceptable harm to the character and appearance of the area. Therefore, the dwelling would not accord with Policy BCS21 of the adopted Bristol Core Strategy, as it would not contribute positively to the area's character and identity and it would not create or reinforce local distinctiveness.

9. The dwelling would also not accord with Policy DM21 of the Council's adopted Site Allocations and Development Management Policies (DMP), due to the harm to the character and appearance of the area. As the last use of the site appears to have been as part of a residential garden, it is appropriate to assess the appeal scheme against that policy. The failure to respect or build upon the local pattern and grain of development or to respond appropriately to building lines and set backs from the street would not accord with DMP Policy DM26. Moreover, the dwelling would not accord with DMP Policy DM29, as it has not been designed to a high standard reflecting its function and role in relation to the public realm.

10. For the above reasons, the dwelling would be inconsistent with the advice on good design at section 7 of the National Planning Policy Framework (the Framework) and it would not fulfil the social and environmental roles of sustainable development, set out at paragraph 7.

Other matters

11. The Council's delegated report and written statement refer to the effect of the dwelling on the living conditions of the occupiers of No 12 having regard to overbearing, with a consequent failure to accord with DMP Policy DM27. However, planning permission was not refused on that basis. The Council's decision notice should contain all of the reasons for refusal. Additional reasons should not be introduced in response to an appeal. Nevertheless, even if I were to find that the dwelling would not cause unacceptable harm to the living conditions of the adjacent occupiers, it would not outweigh the significant harm already identified above.

12. The site is in an accessible location in relation to local services and facilities and public transport and the dwelling would make a modest contribution to the housing stock. Provision would appear to have been made for cycles and refuse/recycling storage within the appeal scheme. The dwelling would appear to meet minimum internal space standards for a 1 bedroom, 2 person dwelling

and it would incorporate measures to achieve a 20% saving on residual energy use. I also note that there are public open spaces within a reasonable walking distance of the site. However, none of these matters would offset the above harm.

Conclusion

13. The dwelling would not accord with the Development Plan and it would be inconsistent with the Framework.

14. For the reasons given above I conclude that the appeal should be dismissed.

Stephen Hawkins

INSPECTOR