
Appeal Decision

Site visit made on 7 August 2017

by Chris Couper BA (Hons) DipTP MRTPI

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

Decision date: 14 August 2017

Appeal Ref: APP/Z0116/W/17/3175281

47 Montreal Avenue, Horfield, Bristol BS7 0NB

- 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 Mrs A Leheay against the decision of Bristol City Council.
 - The application Ref 17/01052/F, dated 22 February 2017, was refused by notice dated 24 April 2017.
 - The development proposed is the erection of a single dwellinghouse attached to the side of No. 47.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the spelling of the appellant's name from the application form.

Main Issue

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

Reasons

4. The appeal site comprises a triangular part of the garden of 47 Montreal Avenue, which is sited at the junction with Hazel Grove. The properties along Montreal Avenue to the west are set back from the highway in two storey, semi-detached pairs. Those closest to the site have hipped roofs, whilst further west they are gabled. The dwellings' facing materials vary, and some of the properties have been extended. Notwithstanding those subtle variations, and slight differences in terms of the buildings' set back from the highway, the form and spacing of the pairs provides a sense of rhythm and cohesion in the streetscene. That is augmented by the generally spacious gaps formed by gardens at road junctions, which is a characteristic of other similar style development nearby, such as at the junction of Hazel Grove with Toronto Road.
5. The proposal's alignment, form, scale and materials would broadly reflect the semi-detached dwelling to which it would be attached, although the canted corner would appear somewhat contrived. However, it would result in the creation of a short terrace of three dwellings which, notwithstanding the wide frontages and narrow depths of the semi-detached pairs, would be uncharacteristic of this part of Montreal Avenue. That would disrupt the

regular rhythm and harmony of the streetscene. Furthermore, although some of the site's front hedge would be retained, the erection of a dwelling here, taking up a significant part of the side garden, would greatly diminish the gap at this prominent corner, and would not reflect the area's characteristic sense of spaciousness at junctions.

6. To the east, beyond the gaps formed by the gardens on the junction of Montreal Avenue with Hazel Grove, there is a marked change in character within the Upper Horfield Regeneration Scheme. The development there has a much denser urban form, with many taller, longer buildings, and with a less formal highway layout. Given the clear distinction between that area and this, that development does not alter my conclusions regarding the significant harm that would be caused here.
7. Although the appellant may be able to remove the existing hedgerow on the site and provide a hardstanding area without consent, the impact of that on the area's character would not be comparable to this two storey development.
8. In the scheme's favour, and in accordance with various development plan policies, the site is sustainably located close to shops and transport links. It would include sustainable design measures as set out in the Energy, Sustainability and Design and Access Statement. It would also make an efficient use of the land, and a modest contribution towards housing supply.
9. However, although the proposal would increase the density of development, as the erection of this building on this garden would harm the character and appearance of the area, it would not comply with Policy DM21 of the Bristol Site Allocations and Development Management Policies Local Plan 2014 ('SADM'). That policy reflects the advice at paragraph 53 of the National Planning Policy Framework ('Framework'), and the scheme would also conflict with the Framework's more general requirement for planning to take account of the character of different areas.
10. The scheme would also conflict with SADM Policies DM26, DM27 and DM30, and with Policy BCS21 of the Bristol Core Strategy 2011 which, amongst other things, require proposals to contribute towards local character and distinctiveness with regard to matters such as the grain, layout and pattern of development. Although the Council's decision refers to SADM Policy DM29, as the harm caused would be to area's character, the scheme would not generally conflict with its detailed design requirements for new buildings.
11. There were no objections from nearby occupiers. However, having considered the scheme on its merits, its limited benefits would not outweigh the significant harm that it would cause to the character and appearance of the area. Consequently, it would conflict with the development plan when considered as a whole and would not be the sustainable development for which the Framework places a presumption in favour. Having regard to all other matters raised, the appeal is therefore dismissed.

Chris Couper

INSPECTOR