

Appeal Decision

Site Visit made on 25 May 2021

by Mr Stuart Willis MSc, BA (Hons), PGCE, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 June 2021

Appeal Ref: APP/F0114/W/21/3269891

26 Tennis Court Avenue, Paulton, Bristol BS39 7LZ

- 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 N Hancock against the decision of Bath and North East Somerset Council.
 - The application Ref 20/04696/FUL, dated 4 December 2020, was refused by notice dated 17 February 2021.
 - The development proposed is attached dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the application form. Although different to that on the decision notice, no confirmation has been provided that a change was agreed.

Main Issue

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

Reasons

4. Several properties in Tennis Court Avenue have been extended to the side creating wider blocks of built form and eroding the consistency of gaps between pairs of properties. However, wide plots with dwellings set in from side boundaries, such as at the appeal site, contribute positively to the spaciousness at corner plots.
5. The scheme would be incongruous with this bringing the built form considerably closer to the side road boundary than it is at present. It would have a much more restricted plot width than the appeal site and other corner plots in the area. Furthermore, as opposed to the extended properties in the street where the width of dwellings has increased, the proposed dwelling would be narrower than the existing pair of dwellings it would be attached to. The scheme would erode the existing spaciousness at the site and appear cramped in comparison to similar corner locations.
6. The scheme would create a row of terrace properties at odds with the prevailing pattern of development in Tennis Court Avenue which is of semi-detached properties. This would unbalance the appearance of the existing pair of dwellings and the blank gable elevation would also create a bland façade.

7. Therefore, the proposal would unacceptably harm the character and appearance of the area. The scheme would fail to accord with Policies D1, D2, D3, D5 and D7 of the Placemaking Plan¹ where they, in part, state that development should enrich, contribute positively to and not harm local character with well-designed elevations.

Other Matters

8. The appeal scheme is for a separate dwelling that would result in the division of an existing wide plot and bring the built form close to a side road boundary. Therefore, it is materially different to the examples of extensions in the street put before me.
9. While any contribution is worthwhile, a single dwelling would have a minimal effect on housing supply. That the scheme would provide sufficient outdoor amenity space and parking for the existing and proposed dwelling is a neutral factor.

Conclusion

10. The proposal conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
11. For the above reasons, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR

¹ Bath and North East Somerset Placemaking Plan District-wide Strategy and Policies