



Appeal Decision

Site visit made on 11 November 2022

by Lewis Condé BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 January 2023

Appeal Ref: APP/Z0116/W/22/3301250

160 Monks Park Avenue, Horfield, Bristol BS7 0UL

- 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 S Zullo, Zullo Holdings Limited, against the decision of Bristol City Council.
 - The application Ref 21/05941/F, dated 4 November 2021, was refused by notice dated 28 April 2022.
 - The development proposed is described as 'Erection of a three bedroom dwelling; with associated vehicular access from Kenmore Drive and pedestrian access from Monks Park Avenue, refuse storage, cycle storage, car parking, provision of private gardens and new landscaping'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development above is taken directly from the original application form. However, amendments to the scheme were made during the original application period, including a reduction in the number of bedrooms within the proposed dwelling. Accordingly, the description of development was revised to '*Erection of a two bedroom dwelling; with associated vehicular access from Kenmore Drive and pedestrian access from Monks Park Avenue, refuse storage, cycle storage, car parking, provision of private gardens and new landscaping*'.
3. The application was determined based on the revised proposals. Hence, I have determined the appeal on the revised description of development, which was used on the Council's decision notice and the appellant's appeal form.
4. The Council has clarified that reference within the officer's report to the proposal having a significant harmful impact upon neighbouring amenity was a typographical error. I also note the appellant's comments that incorrect measurements have been cited within the case officer's report.

Main Issue

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

Reasons

6. 160 Monks Park Avenue (no. 160) is a semi-detached property located on a corner plot at the junction with Kenmore Drive. Monks Park Avenue is a

- relatively busy thorough fare. The appeal site is elevated above street-level, which together with its corner position, makes it highly prominent in the streetscene.
7. The surrounding area is predominantly residential in character, comprising mainly of semi-detached dwellings. Albeit there are a range of other uses nearby, including commercial buildings and Southmead Hospital and Research Unit opposite.
 8. The proposed dwelling would be attached to no. 160 but would be marginally set back from the building line of nos. 158 – 160 Monks Park Avenue and also be set down in ridge height. Despite these features it would remain highly prominent within the streetscene.
 9. The Council highlights that the proposal's design conflicts with guidance set out within its 'Guide for Designing House Alterations and Extensions' Supplementary Planning Document (SPD), through its lack of subservience to the existing dwelling. Notwithstanding that the proposed development would be attached to no. 160, it would be an entirely new dwelling as opposed to an extension or alteration to that property. As such, I do not find the guidance within the SPD to be applicable in this instance.
 10. The proposed dwelling would effectively result in the creation of a small new terrace of three properties, in an area predominantly characterised by semi-detached dwellings. In particular, the inclusion of the set-back and set down would give the proposal the appearance of an overly large side extension to no. 160, as opposed to creating a well-designed terrace of properties. Furthermore, the width of the proposed dwelling alongside how its roof form would link to no.160 would give the resultant terrace an unbalanced appearance. The proposal's visual harm would be exacerbated due to the site's highly visible position.
 11. I appreciate that the scale of the proposed dwelling has been designed to accord with nationally prescribed space standards. Nonetheless, it would have a rather contrived appearance that would be at odds with the properties that it would be linked to.
 12. It is recognised that a sizeable two-storey side extension has been undertaken at no. 162 Monk Park Avenue, which the appeal proposal would be viewed against. However, the neighbouring property is not as highly elevated as the appeal site and therefore it is not as prominent. Furthermore, the works to the neighbouring property read as an extension that is broadly in proportion to the host dwelling. The appeal scheme instead would result in a new dwelling that does not appropriately respond to the scale or appearance of the properties it would be attached to.
 13. My attention has also been drawn to a range of other further developments in the wider surrounding area, that include large side extensions to corner plots and extensions to form new dwellings. However, I do not find these other developments set the prevailing character for the area. Furthermore, the contexts for each of the examples varied somewhat to the appeal proposal. The differences in contexts stemmed from both the individual designs of development (e.g. scale, roof forms) and the site-specific characteristics. Notably, some of the examples were in more discrete locations, including on a quieter street some distance from the appeal site (no. 183 Bishop Road). Those

examples on Monks Park Avenue were either not as prominent as the appeal site (e.g. not in as highly elevated a position), related to a community building as opposed to a dwelling (i.e. Monks Park Surgery), or were not necessarily positive forms of design that should be followed.

14. Additionally, I have limited information about the planning histories of these other developments. However, their contexts differ to that of the scheme before me, and so they merit only limited weight and do not lead me to a different view in this case.
15. Overall, I find that the proposal would cause harm to the character and appearance of the area. It therefore conflicts with Policy BCS21 of the Bristol Development Plan: Core Strategy (adopted 2011) and Policies DM26, DM27 and DM30 of the Bristol Development Plan: Site Allocations and Development Management Policies Document (adopted 2014). Together these policies, amongst other matters, seek to ensure that new development is of a high-quality design, that respects the local pattern of development, and positively contributes towards local character. Likewise, the proposal conflicts with the provisions of Part 12 of the National Planning Policy Framework (the Framework), in respect of promoting high-quality design.

Other Matters

16. The Council does not dispute the appellant's contention that it is unable to demonstrate a five-year supply of deliverable housing sites in accordance with paragraph 74 of the Framework. As such, relevant policies for the supply of housing should not be considered up-to-date and paragraph 11 of the Framework should therefore be applied.
17. Although paragraph 60 of the Framework refers to boosting significantly the supply of housing, the provision of one additional unit would make little meaningful difference. Judged against some of the core planning principles the proposal would perform well through being in an urban area with good access to facilities and services. However, good design is also a key aspect of sustainable development.
18. The proposal would generate certain socio-economic benefits relating to the provision of one dwelling but given its scale these benefits would be modest. Consequently, they would be worthy of only limited weight. As such, the adverse impacts of granting a planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The appeal scheme would not therefore be sustainable development for which the presumption in favour applies.
19. I note the appellant's frustrations with the way the Council dealt with the application, given that amendments to the scheme were submitted based on advice received. However, the appeal has been determined on its own merits.

Conclusion

20. The appeal scheme would conflict with the development plan. There are no material considerations, including the approach of the Framework, worthy of sufficient weight, that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

Lewis Condé

INSPECTOR