



Appeal Decision

Site visit made on 20 February 2024

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 February 2024

Appeal Ref: APP/Z0116/W/23/3329485

91 Walsh Avenue, Hengrove, Bristol BS14 9SQ

- 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 J Finn against the decision of Bristol City Council.
 - The application Ref 23/01489/F, dated 5 April 2023, was refused by notice dated 11 September 2023.
 - The development proposed is new dwelling attached to side of existing.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. The parties have had the opportunity to comment on this change and I have reached my decision using the most up-to-date version of the Framework.

Main Issue

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

Reasons

4. The appeal property consists of land to the side of a semi-detached dwelling. With a few exceptions, most dwellings in the locality are also semi-detached pairs, albeit with differences of detail and external facing materials. These properties, including 91 Walsh Avenue, have a good degree of balance and symmetry between each half, including in respect of the width of the dwellings and their plots. These features give the area a distinctive rhythm and consistency of built form.
5. As a result of the proposal, the current pair would become a terrace of three. This would fail to reflect the semi-detached form of most dwellings hereabouts. Moreover, the proposal would be much narrower in width than that of the other dwellings, including its host. As such, its design, scale and mass would have a harmfully unbalanced, awkward and cramped appearance. This would not reflect the predominant pattern of development and thus would appear incongruous and out of place in the street scene.

6. A two-storey extension at 83 Walsh Avenue¹ and a new dwelling at 100 Walsh Avenue² have been drawn to my attention. They have a degree of subservience to their hosts. However, even if I were to accept that they unbalance their respective semi-detached pairs, they would not justify the additional harm caused by the proposal. The need for consistency in decision making is important but must be set against the proper application of the policies of the Development Plan and the Framework. The examples do not therefore provide a convincing reason to grant permission for the proposal.
7. For the above reasons, the proposal would harm the character and appearance of the area, contrary to policy BCS21 of the Bristol Development Framework Core Strategy, adopted June 2011 (the Core Strategy) and policies DM26, DM27, DM28 and DM29 of the Bristol Local Plan Site Allocations and Development Management Policies (SADM), adopted July 2014. Amongst other things, these require respect for local character and distinctiveness, including the pattern of development. Similarly, it would conflict with the emphasis of the Framework for development that is visually attractive. As such, I give this conflict significant weight.

Other Considerations

8. The Council cannot currently demonstrate an adequate supply of housing land, said to be at around 3.7 years. Consequently, it is necessary for me to determine whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits inherent in providing an additional dwelling to assist the Council in addressing its undersupply, as set out in Paragraph 11 of the Framework.
9. I have found conflict with Core Strategy Policy BCS21 and SADM Policies DM26, DM27, DM28 and DM29, which are consistent with the Framework. I therefore find that the proposal would conflict with the Development Plan as a whole. Against that, it would make a positive contribution to the supply of family housing. However, due to the proposal being for only a single dwelling, such benefits would be limited.
10. Future occupiers of the proposal would make a positive social and economic contribution to the area. It would also have economic benefits, for example to the building industry. The proposal would make more efficient use of land, in a built-up area where higher densities may be appropriate. It could be delivered quickly and would have reasonable access to services and facilities. However, these benefits would be limited because of the small size of the proposal, as a single dwelling.

Planning Balance and Conclusion

11. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Given the harm that I have identified, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

¹ LPA Planning permission reference 07/03180/H

² LPA Planning permission reference 18/05792/F

12. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR