



Appeal Decision

Site visit made on 9 January 2025

By G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2025

Appeal Ref: APP/Z0116/W/24/3349107

49 Pigott Avenue, Bristol, BS13 9HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Miles Pingstone against the decision of Bristol City Council.
 - The application Ref is 22/05228/F.
 - The development proposed is described as a 1No single storey dwelling house along with parking and associated works.
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Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposal on the character and appearance of its surroundings.

Reasons

3. The site forms part of the curtilage of 49 Pigott Avenue, a semi-detached property set in a predominantly residential suburban area. Although dwelling designs in the immediate vicinity vary, there is one common factor in that they all appear to be two-storey.
4. The planning history indicates that other attempts have been made to develop the site but have not succeeded. A proposal to erect a two-storey dwelling on the site failed on appeal¹ primarily for the reason explained in the following extract from the decision letter:

‘...the existing gap between the host property and the neighbouring properties, Nos 45/47 Pigott Avenue (Nos 45 and 47), provides visual relief and an important sense of spaciousness within the street scene. I observed such a layout to be a common characteristic of the area contributing positively to its character and appearance. The proposal, by virtue of its siting, would result in the substantial erosion of this important design feature. It would thus fail to respect the established pattern of development in the area and would appear cramped within the street scene. Consequently, the proposal would cause harm to the character and appearance of the area.’

5. In attempting to address the main reason for the previous failure at appeal the appellant now proposes a modest bungalow instead of a two-storey dwelling. It is considered by the appellant that the reduced height and scale of the building

¹ Ref APP/Z0116/W/19/3241844 dated 31 March 2020

proposed in comparison with the two-storey dwelling would maintain the gap and sense of spaciousness which was previously found to contribute so positively to local character.

6. I share the appellant's view that the reduction in scale would assist to an extent in maintaining a gap between buildings at this junction site. However, this would be apparent at a higher level alone – but the bungalow would contribute towards closure of the gap at a lower level.
7. Moreover, the bungalow is of a wholly different house type to those surrounding it. The appellant suggests that great care has been taken to reflect the style and design of the nearest properties. Whilst similarities can be recognised particularly in materials, the appearance of the proposed bungalow and the two pairs of semi-detached properties which flank it are and would be entirely different.
8. The proposed bungalow, if built, would appear incongruous and out-of-keeping in its visual context being entirely at odds with the appearance of nearby development. It would represent a disharmonious intrusion into the street scene. The sense of spaciousness would be eroded, albeit not to the same extent as before. I am not therefore persuaded that the current proposal has successfully addressed the proper concerns expressed on the development of this site by the previous Inspector.
9. In conclusion, I find the development to be in serious conflict with those provisions of Core Strategy Policy BCS21 and Local Plan Policy DM26 & DM27 directed to achieving good quality urban design contributing positively to local character and distinctiveness.

Other matters

10. Reference has been made to other development plan policies but those to which I have referred are considered the most relevant in the circumstances of this case. I have also noted the references to the National Planning Policy Framework, which have been taken into account.
11. The appellant has pointed to the benefits of the scheme, including its sustainable location; addition to the housing stock and mix; that internal space standards are met and that it would assist in creating economic activity. I share the view that all these matters can be regarded as benefits of the scheme, but in my view they do not outweigh the fundamental planning objection to the proposal.
12. The appellant also refers to the adequacy of the external amenity area proposed. It may well suffice in terms of size or area, but it would lack privacy since it would be overlooked from the windows of the host property at close quarters. This represents a clear symptom of a cramped development.
13. Although the appellant has not specifically referred to the '*tilted balance*' I am aware from other cases of the Council's failure to provide an acceptable supply of housing land in the City. In this case, however, I am satisfied that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
14. I have been referred to other schemes granted planning permission in nearby streets which the appellant considers should act as precedents. However, to my

mind, none share the characteristics or precise circumstances of the appeal site and the proposal, so they do not weigh heavily in my considerations.

15. The Council refused permission for a second reason, but as expressed by the appellant, I consider that this could have been addressed by a condition had the appeal succeeded.
16. All other matters raised have been taken into account, including an objection by a local resident, but no other matter is of such strength or significance as to outweigh those considerations that led to my conclusions.
17. Accordingly, the appeal is dismissed.

G Powys Jones

INSPECTOR