
Appeal Decision

Site visit made on 02 January 2026

by **N Robinson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 January 2026

Appeal Ref: APP/Z0116/W/25/3375511

11 Keys Avenue, Horfield, Bristol BS7 0HQ

- 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 and Miss D and J Hurley and Clifford against the decision of Bristol City Council.
 - The application Ref is 25/11791/F.
 - The development proposed is construction of 2 bedroom dwelling (self-build) following demolition of existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area; and
 - the effect of the proposal on highway safety.

Reasons

Character and appearance

3. The site comprises a detached garage and garden associated with 11 Keys Avenue, a 2-storey semi-detached dwelling which occupies a corner plot at the junction of Keys Avenue and Wessex Avenue. Dwellings in the surrounding area predominantly comprise rows of uniform terraces punctuated by larger semi-detached dwellings occupying mirrored corner plots sited diagonally to the road. Dwellings which occupy corner plots have generally retained their generous plot sizes, contributing to a degree of spaciousness within the area. This regular pattern of development creates a pleasant sense of uniformity in the surrounding area. Given its limited scale, the garage has a neutral impact on the street scene.
4. The appeal is for the erection of a 2-storey detached dwelling which would be constructed using materials consistent with the host dwelling. Though the dwelling would be set back in its plot in line with the dwellings on Keys Avenue, the detached form and dominant roof scape would contrast with dwellings in the surrounding area. The dwelling would be positioned tight to the northern site boundary and the boundary shared with 11 Keys Avenue, giving the impression that the dwelling has been shoe-horned into the plot. Together this would combine to create a cramped and contrived form of development which would appear as an incongruent addition to the street scene at odds with the predominant form and

layout dwellings which characterise the surrounding area. The lack of usability of the existing garage for its prescribed use fails to address the harm to the character and appearance of the area resulting from the proposal.

5. In support of the proposal reference is made to a detached dwelling to the west of the site at 71a Wessex Avenue, which, it is stated, is similar to the appeal proposal. No 71a's detached form differs from the form of development in the surrounding area. Nonetheless, no 71a retains a degree of separation from neighbouring dwellings, and I observed at my site visit that its simple form and roof scape do not appear out of keeping with the dwellings which characterise the surrounding area. For the reasons set out above, this differs from the proposal before me. This example therefore does not lead me away from my observations regarding the proposal's harm to the character and appearance of the area.
6. The development would result in appreciable harm to the character and appearance of the area. It would therefore conflict with those aims of policy BCS21 of the Bristol Core Strategy (2011) (CS) and policies DM26, DM27 and DM29 of the Site Allocations and Development Management Policies (2014) (DMP) which require that development deliver high quality urban design which contributes positively to an area's character and identity, respecting the local pattern and grain of development, responding to the height, scale, massing, shape, form and proportion of existing buildings.

Highway safety

7. The dwelling would be provided with one car parking space to the front, and the host dwelling would be provided with 2 spaces. The appellant states that the spaces would exceed 5.25m in depth, which would be large enough to accommodate a vehicle without overhanging the footway. The dwelling would be provided with a secure, enclosed bin compound to the site frontage which would appear to be adequate in size. Given this, there is no indication that the proposal would result in waste containers being left on the footway.
8. The proposal would not have a harmful effect on highway safety. It would accord with CS policies BCS10 and BCS15 and DMP policies DM23 and DM32 which seek to ensure sufficient space for the storage of waste and recycling containers and the provision of adequate safe, secure, accessible and usable parking.

Other Matters

9. It is stated that the proposal comprises a self-build dwelling. The Self-Build and Custom Housebuilding Act 2015 states that the primary purpose of the build must be for personal occupancy and that ownership must initially be retained by the self-builder. So as not to undermine the aims of the legislation, this is a matter that reasonably needs to be controlled. Such matters would normally be contained within a legal agreement to limit ownership/first occupancy or bind the requirement to successors in title should the land/property be sold in the future. To be considered a self-build dwelling there must be an effective mechanism through which the dwelling could be secured as a self-build property. No planning obligation is before me, and it has not been shown that a planning condition would provide an effective or enforceable mechanism for controlling occupancy in this regard. Thus, I afford limited weight to the benefit of the provision of self-build housing.

10. The Council did not refuse the application on grounds of its effect on the living conditions of the occupiers of neighbouring properties or the standard of accommodation proposed. I see no reason to take a different view. Compliance with the relevant development plan policies on these matters would be required in any case. Therefore, these are not matters which weigh in favour of the proposal.
11. The main parties have referenced an appeal decision at the appeal site¹. It is stated that the height and footprint of the dwelling have been reduced following that decision. Nonetheless, for the reasons set out above, I find that the proposal would result in harm to the character and appearance of the area.
12. The appellants' dissatisfaction with the handling of the planning application is noted. However, this is not a matter for consideration in this appeal which focusses on the planning merits of the proposal.

Planning Balance

13. The Council is unable to demonstrate a 5-year supply of deliverable housing sites. In these circumstances, paragraph 11 d) of the National Planning Policy Framework (the Framework) is engaged. This indicates that the policies which are most important for determining the application should be deemed out-of-date and permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
14. The proposal would provide one dwelling in a location with good access to facilities and public transport and would contribute to the area's housing mix. In light of the shortfall in housing delivery, I attach significant weight to the benefits of housing delivery. On the other hand, the proposal would result in harm to the character and appearance of the area. Chapter 12 of the Framework states that good design is a key aspect of sustainable development. I give significant weight to the conflict with the development plan policies in this area.
15. Thus, whilst the Framework seeks to significantly boost the supply of housing, the adverse impacts would significantly and demonstrably outweigh the benefits of the delivery of one dwelling, when assessed against the policies in the Framework taken as a whole. Therefore, the proposal would not constitute a sustainable form of development in terms of the Framework and does not benefit from the presumption in favour of sustainable development.

Conclusion

16. The proposal would conflict with the development plan and material considerations do not indicate that the decision should be made other than in accordance with the development plan. Therefore, having regard to all other matters raised, the appeal is dismissed.

N Robinson

INSPECTOR

¹ APP/Z0116/A/13/2191122