

Appeal Decision

Site visit made on 15 November 2016

by Richard S Jones BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 November 2016

Appeal Ref: APP/Z0116/W/16/3156952

Land adjacent to 3 Westbury Lane, Coombe Dingle, Bristol BS9 2PD

- 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 Longacre Bristol Ltd against the decision of Bristol City Council.
 - The application Ref 15/06602/F, dated 23 December 2015, was refused by notice dated 25 February 2016.
 - The development proposed is for the erection of dwelling with associated access from Westbury Lane.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether the proposed development would preserve or enhance the character or appearance of the Sea Mills Conservation Area.

Reasons

3. The appeal site comprises a vacant parcel of land that once formed part of the garden area to No.3 Westbury Lane but has now been separated from this property. Two trees are positioned in the front corners of the site, which is typical of the verdant qualities found in this suburban setting. The site is within the designated Sea Mills Conservation Area (CA), which is characterised by inter-war municipal housing that broadly reflects the layout and the arts and crafts style of housing based generally on the early twentieth century garden city and garden suburb developments. The significance of the CA is derived from the uniformity of character and style with the area displaying spaciousness both between houses, their large gardens and the substantial areas of green space.
4. My attention has been drawn to a recent appeal¹ at this site, which was dismissed on the grounds that a two storey house would result in a cramped form of development that would appear incongruous having regard to the spacious character of the immediate area. The current appeal differs because it is for the erection of a single storey dwelling that has been designed to reflect that of a converted garage structure that can typically be found at other

¹ APP/Z0116/W/14/3001172

- locations within the CA, including a smaller domestic garage associated with No.1 Westbury Lane.
5. The previous Inspector identified that the eastern end of Westbury Lane has a mix of housing styles some of which do not obviously relate to the character of the CA described above. Based upon my site visit, I have no reason to disagree that despite the variety in the development at this location, a high degree of spaciousness remains evident and such features strongly reflect this essential characteristic of the CA, which is also emphasised as being of importance in the Council's Character Appraisal & Management proposals document of 2011.
 6. A detailed survey and arboricultural assessment was not provided by the appellant at the application stage; however, one has now been produced. I am mindful that the Council's Tree Officer does not consider that their removal should be resisted given their low amenity value and I acknowledge this assessment. However when viewed from the western end of Westbury Lane, these trees contribute to the verdant characteristics of the CA. This to some extent is recognised by the appellant who suggests that a replacement tree planting scheme should take place.
 7. Notwithstanding, no detailed landscaping scheme has been provided to enable an assessment to be made concerning the benefits of new planting to at least maintain the verdant character or appearance of the streetscape along Westbury Lane which might otherwise off-set the identified potential loss of trees at this location.
 8. However, by reason of siting, the proposed development would take up a high proportion of the width of the land available. Whilst less tall than either of the neighbouring properties, the appeal building would be of sufficient scale to undermine the spacious character that currently exists. In addition, the present scheme would also leave No.3 with a notably small garden. I agree with the previous Inspector that overall, a dwelling at this location would introduce an unusual and close spacing that would be out of kilter with the prevailing character of the CA. Whilst, the appellant points out a small number of developments that have occurred elsewhere within the CA, including at No.1, these relate to side extensions to existing properties, which are not directly comparable with the development that is before me for a detached dwelling.
 9. Although the appeal scheme would lead to less than substantial harm to the significance of the CA, this matter is not outweighed by the public benefit of the proposed development. I also agree with the previous Inspector that leaving the land in its present state divorced from its previous host property would not be as harmful to the character and appearance of the area as the proposed scheme.
 10. Accordingly, I conclude that the proposed development would fail to preserve or enhance the character or appearance of the CA and, as such, it would be contrary to the objectives of Bristol Core Strategy (CS) Policies BCS21, BCS22 and Bristol Site Allocations and Development Management Policies (SADMP) Policies DM21, DM26, DM29 and DM31, which all seek to maintain or conserve the local character and distinctiveness of the area. Further, by reason of lack of appropriate mitigation to offset the loss of green infrastructure in this instance, the development would be contrary to CS Policy BCS9 and SADMP Policy DM17.

11. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Richard S Jones

Inspector