



Appeal Decision

Site visit made on 22 September 2020

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 September 2020

Appeal Ref: APP/Z0116/W/20/3251645

Land Adjacent to 2 Turnbridge Road, Brentry, Bristol BS10 6PA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Hallen Developments Ltd against Bristol City Council.
 - The application Ref 19/05714/F, is dated 26 November 2019.
 - The development proposed is demolition of outbuilding, construction of 1 no. residential dwelling and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of outbuilding, construction of 1 no. residential dwelling and associated works at Land Adjacent to 2 Turnbridge Road, Brentry, Bristol BS10 6PA in accordance with the terms of the application, Ref 19/05714/F, dated 26 November 2019, subject to the conditions set out in the schedule at the end of this decision.

Main Issue

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

Reasons

3. As a detached property, the proposal would be at odds with the prevalent terraced and semi-detached dwellings. However, the house would be near to the side of 2 Turnbridge Road (No 2) and so it would follow the close-knit relationship of properties in the street. Also, the dwelling would be similar in height and depth to nearby houses and it would include window and door openings of similar proportions to those seen in the locality. As such, the development would be compatible with its surroundings despite being slightly wider than nearby dwellings.
4. The proposal would reduce the site's openness but space would be retained to the side of the dwelling. Also, the development would be in front of the adjacent line of terraced houses on Charlton Road. However, it would not be unusual in this regard as the nearby corner properties of Turnbridge Mews and 151 Chakeshill Drive already stand out in street views. Furthermore, the Council has granted planning permission for a house on the appeal site which would have a similar effect on views along Charlton Road to the proposal. As this is a recent permission, there is more than a theoretical possibility of the approved house being constructed if this appeal is dismissed.

5. For these reasons, I conclude the proposal would not harm the character and appearance of the area. In this regard, it would accord with policy BCS21 of the Bristol Core Strategy 2011 and policies DM21, DM26, DM27 and DM29 of the Bristol Local Plan Site Allocations and Development Management Policies 2014. These all aim, amongst other things, to ensure development reflects its context.

Conditions

6. I have considered the conditions suggested by the Council. Where appropriate I have amended the wording for reasons of precision and to avoid unnecessary pre-commencement conditions.
7. A condition listing the drawings is necessary to ensure the development is carried out as shown on the approved plans. A condition is imposed that requires the provision of an adequate drainage system to serve the proposal. To ensure a satisfactory appearance, conditions relating to external materials and the provision of bin storage facilities are required. Conditions regarding the provision of the proposed photovoltaic panels and energy efficiency measures are imposed to ensure the development contributes towards minimising the effects of climate change.
8. The submitted plans indicate on-site parking facilities and so a condition requiring the approval of further details is unnecessary. However, in order to avoid roadside parking, a condition is imposed that requires the provision of vehicular accesses and parking areas to serve the proposal and No 2. To encourage sustainable modes of travel to and from the development a condition requiring cycle parking facilities is necessary.
9. The acceptability of the proposal is not reliant upon new planting and so there is no need for a condition requiring the implementation of a landscape scheme. Also, there is no evidence that the site may be contaminated and so the suggested condition relating to ground contamination is unnecessary. As no clear justification has been provided, a condition removing permitted development rights is not imposed.

Conclusion

10. For the above reasons, the appeal succeeds.

Jonathan Edwards

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 19/1726/100, 19/1726/101, 19/1726/105 rev B, 19/01726/150, 19/01726/151 rev A, 19/1726/152, 19/01726/153, 19/1726/160, 19/1726/170 rev A, 19/01726/175 and 19/1726/200 rev A.

- 3) No development other than the excavation of foundation trenches shall be carried out until details of a sustainable surface water drainage system to serve the development as well as a drainage management and maintenance plan have been submitted to and approved in writing by the local planning authority. The submitted details shall demonstrate that the drainage system will reduce the existing discharge rate and provide water quality improvements. The approved drainage system shall be implemented prior to the first use of the dwelling hereby approved and shall thereafter be managed in accordance with the approved details.
- 4) Prior to progression of construction works above slab level of the building hereby permitted, samples, details or manufacturers' specifications of the external materials and finishes (including render, roof tiles, windows, doors, rainwater goods, driveway surface and fencing) to be used in the construction of the development shall be submitted to and approved in writing by the local planning authority. The development hereby permitted shall be carried out in accordance with the approved details.
- 5) Prior to their installation, details of the location, dimensions, design/technical specification and method of fixing for the photovoltaic panels hereby approved shall be submitted to and approved in writing by the local planning authority. Photovoltaic panels in accordance with the approved details shall be installed and operational prior to the first occupation of the dwelling hereby approved and shall be retained thereafter in perpetuity.
- 6) The dwelling hereby approved shall not be first occupied until the refuse bin storage facility as shown on the approved plans has been provided on the site. All refuse associated with the development shall either be stored within the bin storage facility or within the dwelling hereby approved. No refuse shall be stored or placed for collection on the adopted highway except on the day of collection.
- 7) The energy efficiency measures, sustainable design principles and climate change adaptation measures as set out in the Sustainability Statement and Energy Strategy by JMDC Services Ltd (dated 5 December 2019) shall be incorporated into the construction of the dwelling hereby approved and shall thereafter be retained in perpetuity.
- 8) The vehicular accesses, parking and turning areas to serve the development and 2 Turnbridge Road as shown on the approved plans shall be fully provided prior to the first occupation of the dwelling hereby approved and shall thereafter be retained in perpetuity and used solely for these purposes.
- 9) The dwelling hereby approved shall not be first occupied until the cycle parking facilities as shown on the approved plans have been provided on the site. The cycle parking facilities shall thereafter be retained in perpetuity and solely used for cycle storage.