



Appeal Decision

Site visit made on 23 February 2021

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 25 March 2021

Appeal Ref: APP/Z0116/W/20/3262890

58 Dancey Mead, Bedminster Down, Bristol, BS13 8DF

- 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 Mrs K Devonald against the decision of Bristol City Council.
 - The application Ref 20/00951/F, dated 25 February 2020, was refused by notice dated 1 June 2020.
 - The development proposed is to erect an attached house.
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Decision

1. The appeal is allowed and planning permission is granted for erection of an attached house at 58 Dancey Mead, Bedminster Down, Bristol, BS13 8DF, in accordance with the terms of the application, Ref: 20/00951/F, dated 25 February 2020, subject to the conditions set out in the attached schedule.

Main issue

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

Reasons

3. The appeal site forms the side of the garden at 58 Dancey Mead, a 2-storey end of terrace house on a large estate. It is at the lowest point along the terraced row, the roofs of which step down with the slope. A short service lane runs along the other side of the property, providing access to an electricity substation and an area used for small scale commercial storage. Beyond this, the road bends and a row of houses and their rear gardens run perpendicular to the host terrace. It is proposed to attach a 1-bedroom, 2-storey house to the side of 58 Dancey Mead.
4. I observed that there is no uniformity to the treatment of end of terrace plots in the area. Several accommodate large extensions and there were recent examples of both additional terraced housing and detached houses being built on corner plots nearby, albeit these are typically larger than the proposal before me. I also observed that the terraces vary considerably in length. In this context, an additional building on the end of the terrace would not appear incongruous.
5. The steps in the roofline of the local terraces, including the host terrace, are not regular. Notwithstanding this, the rhythm of the steps is commonly across a pair of houses, and in addition to the irregularity of the terraces, I do not

consider that continuation of the roofline would appear awkward or unbalanced.

6. The house would be 'hard up' against the site boundary, which is not typical of the area. However, the adjacent service lane and rear garden running perpendicular to this ensures that a significant gap remains between this property and the next when viewed from the public domain. This unusual configuration means that the openness of the area would be preserved.
7. The proposed dwelling would be approximately half the width of the other houses along the row and the garden notably smaller in character than others in the area. However, in the context of the variable treatment of end of terrace plots and the preservation of openness, I do not consider that this difference would be to an intrusive extent when viewed from the public domain.
8. I have not identified harm to the character and appearance of the area from the proposal. It would therefore be consistent with Policy BCS21 of the Bristol Development Framework Core Strategy (2011) and Policies DM21, DM26 and DM27 of the Site Allocations and Development Management Policies (July 2014), which require that development respects the character and appearance of the area.

Other matters

9. I note the concerns raised by a local third party regarding the potential loss of view from his property. This is not something that is protected by the planning regime. Notwithstanding this, the distance between the properties would remain the width of the street, and the development would therefore not be overbearing, nor would it result in a harmful loss of outlook.

Planning balance

10. The Housing Delivery Test is below 75% for Bristol City Council¹. Paragraph 11 of the National Planning Policy Framework (2019) (Framework) states that local policies are therefore out of date and the development must be assessed against the policies in the Framework taken as a whole.
11. Paragraph 59 of the Framework provides strong support for additional housing, albeit the benefits from a single dwelling would be small. Paragraph 127 of the Framework states that decisions should add to the overall quality of the area and, for the reasons above, I have not identified conflict with this. I therefore do not find that the adverse impacts would demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole and permission should therefore be granted. This is a material consideration of significant weight.

Conditions

12. The Council has recommended 9 conditions. I have imposed all of these, with slight amendments to the wording in the interests of precision and clarity, and to comply with advice in the Planning Practice Guidance.
13. In addition to the statutory time limit, I have imposed a condition to secure accordance with the approved plans in the interests of certainty.

¹ 19 January 2021

14. I have imposed a condition to ensure that refuse facilities are adequate, and to safeguard the amenity of occupiers of the adjacent properties.
15. I have also included conditions to control materials to protect the character and appearance of the area. I have combined 2 recommended conditions relating to access for vehicles, pedestrians and cyclists to avoid duplication, and imposed conditions to secure vehicle and bicycle parking areas, for the purposes of protecting highway safety.
16. I have also included a condition securing development in line with the appellant's energy statement, to ensure that the development contributes to mitigation and adaption to climate change, in line with local policy.

Conclusion

17. I have not found harm to the character and appearance of the area from the proposal, nor conflict with local and national policies. I therefore conclude that the appeal should be allowed.

B Davies

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 approved plans:
 - '2247 (location)', Location plan for 58 Dancey Mead, 1:1250 @A4
 - '2247-block proposed', Block plan as proposed for the next house beside 58 Dancey Mead, 1:200 @A4
 - '2247-block', Block plan for the next house beside 58 Dancey Mead, 1:200 @A4
 - '2247-block existing', Block plan as existing for the next house beside 58 Dancey Mead, 1:200 @A4
 - '2247-10', Proposed new house beside 58 Dancey Mead, showing layout, elevations and materials, 1:100 at A2
- 3) No development of a building shall take place until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The relevant works shall be carried out in accordance with the approved sample details.
- 4) The building shall not be occupied until the refuse store, and area/facilities allocated for storing of recyclable materials, as shown on the approved plans have been completed in accordance with the approved plans. Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area or internally within the building that forms part of the application site. No refuse or recycling material shall be stored or placed for collection on the public highway or pavement, except on the day of collection.
- 5) The building shall not be occupied until a means of access for vehicles, pedestrians and cyclists shall have been constructed in accordance with the approved plans. The access shall be retained thereafter.
- 6) The building shall not be occupied until space has been laid out within the site in accordance with drawing no. '2247-block proposed' and that space shall thereafter be kept available at all times for the parking of vehicles.
- 7) The building shall not be occupied until space has been laid out within the site in accordance with drawing no. '2247-block proposed' for bicycles to be parked and that space shall thereafter be kept available for the parking of bicycles.
- 8) The development permitted by this planning permission shall be carried out in accordance with the Energy Statement completed by John Page Architect received by the Local Planning Authority on 24 March 2020 unless otherwise agreed in writing.