



Appeal Decision

Site visit made on 28 March 2023

by M. P. Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 April 2023

Appeal Ref: APP/Z0116/W/22/3310668

7, Bidwell Close, Brentry, Bristol BS10 6RJ

- 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 Mr Clive Russell against the decision of Bristol City Council.
 - The application Ref 22/02999/F, dated 13 June 2022, was refused by notice dated 7 September 2022.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development in the banner heading above is taken directly from the Council's Decision Notice. This is a more accurate description of the development proposed than that set out on the planning application form.

Main Issue

3. The effect of the proposed development on the character and appearance of the area.

Reasons

Character and Appearance

4. Bidwell Close is a residential cul-de-sac with a mix of semi-detached and terraced two storey dwellings with hipped and pitched roofs. The properties have a consistent building line, set behind front gardens and driveways, which are largely open with low-lying fences, walls and hedgerows. The dwellings, for the most part, predominately sit within good sized plots and front the road. The moderate density, consistent building line and spacing together with the low-lying enclosures produces an openness that results in a pleasant character and appearance to the area.
5. 7 Bidwell Close is a semi-detached two storey property, which is positioned at the head of the cul-de-sac. The resultant plot is tapered with a wide side to rear garden that narrows towards the rear. Recent developments have resulted in flats being added to the terrace property adjoining the appeal site. Despite these additions, the spacing in-between the properties at the head of the cul de sac have largely been maintained. This consistency of appearance in the dwellings as well as the appreciable spaces in-between contribute positively to the character and appearance of the area.

6. The proposal has looked to replicate the pattern of development on Bidwell Close by extending to the side of the semi-detached dwelling with a linked garage. The proposed dwelling would also have a similar width and depth with a lower height. However, this would be the only detached dwelling in the cul-de-sac, and it would mostly front the side elevation of the adjoining flats. Furthermore, although a small gap would be retained above the linked garage, the siting of the proposed dwelling would significantly diminish the appreciable space to the side. The resultant gap and dwelling would be out of rhythm with the built form and spaces within the Close, which contribute positively to the character and appearance of the area.
7. As the host dwelling is located at the head of the cul-de-sac, it is a focal point of Bidwell Close, and the proposed dwelling would be visible from public vantage points along Bidwell Close and Brentry Lane. The impact of the unsympathetic proposal on the street scene would be exacerbated by its prominence. In this context, the proposed development would appear contrived, and damaging to the character and appearance of the area.
8. The Council has indicated that the proposed development would reduce the amount of garden space at the site, impacting upon the appearance of the area. Although some of the garden and trees would need to be removed, they do not add significant value to the character and appearance of the street scene. Furthermore, all the trees to be removed are Category C, which are of 'low quality, adequate for retention for a minimum of 10 years.' This is supported by the Council's Arboricultural Officer who raised no objection to the loss of the garden space and trees on site. As such, the loss of greenery and trees in this instance would not significantly detract from the street scene.
9. I, therefore, conclude that the proposed dwelling would adversely impact upon the character and appearance of the area. As such, the scheme is contrary to Policy BCS21 of the Bristol Core Strategy 2011 (Core Strategy) and Policies DM21, DM26, DM27 and DM29 in the Site Allocations and Development Management Policies 2014 (Site Allocations Plan). These policies, in general, require new development to be high quality, respect the overall design and character of an area and contribute positively to an area's local character as well as safeguarding local distinctiveness.
10. The proposed development would also be contrary to the design policies set out in section 12 of the National Planning Policy Framework. Specifically, paragraph 130 and 134 of the Framework, which seek to ensure all new developments are of a good design and have a strong contextual response to sites.

Planning Balance and Conclusion

11. To allow the proposed development on the appeal site would run contrary to the policies of the development plan, which seek to ensure that the new development to be high quality, respect the overall design and character of an area and contribute positively to an area's local character as well as safeguarding local distinctiveness. I give significant weight to the conflict with Policy BCS21 of the Bristol Core Strategy and Policies DM21, DM26, DM27 and DM29 of the Site Allocations Plan, which are generally consistent with the design policies in section 12 of the Framework.
12. In terms of benefits, I acknowledge that a family dwelling in an accessible location would be an efficient use of the underused land and contribute to the

local housing stock. I acknowledge that the scheme has been designed with various measures to minimise its environmental impact, and there would also be social and economic benefits arising from the construction period and future occupiers using nearby services and facilities. However, the uplift to the housing supply is small in an area where the undersupply is not significant. The social and economic benefits from occupiers in the local area would also be minimal, and construction benefits would be short term. As such, I can give these benefits limited weight.

13. The Council is currently unable to demonstrate the supply of housing sites as required by the Framework, and therefore paragraph 11(d) is engaged. There are no relevant protected areas or assets that provides a clear reason for refusing the development proposed. However, when assessed against the policies in the Framework taken as a whole, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits. Consequently, as set out in paragraph 11(d)ii the presumption in favour of sustainable development does not apply.
14. The appeal scheme would conflict with the development plan when considered as a whole. There are no material considerations, individually or cumulatively, worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

M. P. Howell

INSPECTOR