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## Appeal Decision

Site visit made on 20 May 2024

**by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 29<sup>th</sup> July 2024**

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**Appeal Ref: APP/Z0116/D/24/3339811**

**108 Wellington Hill West, Henleaze, Bristol BS9 4SL**

- 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 Geoffrey Gaunt against the decision of Bristol City Council.
  - The application Ref 23/01585/H.
  - The development proposed is the creation of an off-street parking bay in the front garden and electric vehicle charging point
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### Decision

1. The appeal is allowed and planning permission is granted for the creation of an off-street parking bay in the front garden and electric vehicle charging point at 108 Wellington Hill West, Henleaze, Bristol BS9 4SL in accordance with the terms of the application, Ref 23/01585/H, subject to the following 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 strict accordance with the following approved drawings:  
Existing Front Elevation, Proposed Front Elevation, Existing Front Garden Layout, Proposed Front Garden Parking, TQRQM23108195754965

### Procedural Matters

2. I have taken the description of development in the banner above from the Council's decision notice as it is more concise than that included on the planning application form.

### Main Issues

3. The main issues are highway safety and impact on living conditions.

### Reasons

4. The appeal property is located on a classified C road. It is a tree lined predominantly residential street where a good proportion of the homes benefit from off-street parking. On my site visit I noted that trees are close to many of these vehicular accesses. It appears to be common for residents to successfully negotiate safe access and exit to/from their properties in the vicinity of these trees.
5. A recently planted tree is located within the footway to the front of the appellant's home. Whilst the tree is within the vicinity of the proposed

vehicular access, it is set to the side of it. Although the proposal does not include a turning facility, the appellant has provided a diagram to demonstrate how vehicles would be able to reverse into the site, off the highway, without requiring additional manoeuvring. There would be ample space for residents to successfully manoeuvre their vehicle from the highway into and out of their front garden without hitting the tree. Also, whilst this is a young tree, it includes a robust tree shroud which would protect it from damage in the event of a low-speed collision.

6. Taking all the above into account, I am satisfied that the proposed parking space could be safely accessed and exited without damaging the adjacent tree or unacceptably harming pedestrian or highway safety.
7. Appendix 2 of the Bristol Local Plan Site Allocations and Development Management Policies (2024) (SADMP) sets out parking standards for the city. These indicate that parking spaces should be 2.4 metres wide and 4.8 metres in length. An additional buffer of 0.5 metres is required from an adjacent wall, resulting in an overall length 5.3 metres total. The standards do not fully explain the role of this buffer, stating only that it is for 'clearance'. However, it is reasonable to assume that part of its function is to allow space for pedestrians and wheelchair users to pass. The Council indicates that wheelchair users require a passage of 0.9 metres.
8. The proposed parking space would measure 5.8 metres in length. This is 1 metre longer than a standard space and 0.5 metres longer than the requirement for a space adjacent to a wall. I am therefore satisfied that sufficient space would be retained for both pedestrians and wheelchairs to pass between the front elevation of the dwelling and a parked vehicle. The width of the proposed parking space also exceeds the Council standard and consequently would allow adequate space for pedestrians and wheelchairs to safely pass. As such, I am satisfied that sufficient space would be retained within the appeal site to ensure satisfactory pedestrian and wheelchair movements around a parked vehicle.
9. I note the Council's concerns that vehicles could park away from the house and could overhang onto the public footway. However, as I have described, the proposed space is longer than required by the parking standards and therefore this is unlikely. Consequently, I attach limited weight to this matter in support of allowing the appeal. I am satisfied that the proposal would not unduly harm living conditions, pedestrian safety or highway safety in this respect.
10. In conclusion, the proposed development would not unacceptably harm highway or pedestrian safety or the living conditions of the existing or future residents of the appeal property. Therefore, there is no conflict with Policy BCS10 of the Bristol Development Framework Core Strategy (2011), Policy DM23 of the SADMP and the National Planning Policy Framework. Taken together these require that development safeguards highway and pedestrian safety.

## **Conditions**

11. I have attached conditions in relation to plans and timescales to provide certainty.

## **Conclusion**

12. For the reasons given, the appeal is allowed.

*Rebecca McAndrew*

INSPECTOR