



Appeal Decision

Site visit made on 8 October 2024

by A J Sutton BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 October 2024

Appeal Ref: APP/Z0116/W/24/3345245

13 Widcombe, Hengrove, Bristol BS14 0AS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Hart against the decision of Bristol City Council.
 - The application Ref is 24/00543/F.
 - The development proposed is a new dwelling house.
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Decision

1. The appeal is allowed, and planning permission is granted for a new dwelling house at 13 Widcombe, Hengrove, Bristol BS14 0AS, in accordance with the terms of the application, Ref 24/00543/F, and subject to the schedule of conditions appended to this decision.

Main Issue

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

Reasons

3. The appeal property is an end of terrace dwelling that is part of a 1960's residential estate. Dwellings in this terrace are modest and have small gardens. While the dwelling at No 13 is also modest in size, its plot is significantly larger than the other properties in this short terrace.
4. This part of the estate comprises three cul-de-sacs with properties arranged in a grid pattern. The roads are at the core, with the dwellings configured such that their principal outlook is either over gardens, or in the case of the appeal property over open public space. With this arrangement vehicular access to properties in these cul-de-sacs is focused to the rear. Access to the front of the appeal property and other dwellings in this terrace is limited to the pedestrian footpath fronting the open space.
5. No 13 has a corner position, with its side boundary aligning with Bamfield. Unlike Widcombe, Bamfield appears a primary road in this estate, lined by semi-detached dwellings that front the carriageway. With these features, properties on Bamfield are visually distinct and separate from the appeal property and terraced dwellings on Widcombe.
6. Properties in this area share a traditional domestic architectural style and linear plot form and this provides cohesion in the development comprising the estate. However, frontage arrangements, design detail and housing type vary

on different streets, such that any positive sense of rhythm and uniformity in the built form is largely localised to individual streets.

7. The grass verges lining Bamfield provide a green and relatively open contrast with the residential development in this area. Also, this part of the estate is partially enveloped by a large green open space which contains trees and mature vegetation. As such there is a positive sense of verdant openness near the appeal property and this is a pleasant respite from the relatively tightknit built form in this residential area.
8. The proposal would extend the existing terrace by adding one dwelling, and in turn this would be seen as an extension to the primary frontage of development on this part of Widcombe. The proposed dwelling would be narrower than existing No 13, but the submitted plans show this would only be by a very small amount.
9. The new dwelling would match the height and common front building line of the existing terrace. Moreover, it would be of a traditional architectural form, and similar in design detail and appearance to existing dwellings in this terrace. These sympathetic design features would ensure that the slight variation in the proposed buildings' width would be readily absorb without harmfully disrupting the uniformity evident in the existing terrace.
10. The development would replace the side extension of No 13 and would infill much of the space to the side of that existing dwelling. However, some space would be retained at the side boundary. Moreover, the new dwelling would have a garden to the rear ensuring that the prevailing linear plot form of the terrace would be maintained.
11. The spatial change at No 13 would be clearly visible in the public realm at this corner location. However, as already outlined this is an uncommonly large plot, such that this small addition would be seen as a completion of the existing terrace and positive in this regard. Also, comfortably accommodated in this sizeable plot, the new dwelling would not appear at odds with the close grained development that already characterises the immediate area. In this respect, I find that the development would represent an efficient use of this existing relatively large garden plot.
12. Unlike the existing side elevation of No 13, the side elevation of the new dwelling would not include windows. However, I saw this is not an uncommon feature in corner plots in this residential estate. The Council highlights that corner plots are largely free of development. With regards this matter, this two storey development would fill an existing space at first floor level. However, as a small dwelling in a garden, the addition would be contained in the existing developed footprint of the estate. Moreover, the proposal would not encroach into the neighbouring green verge and in this regard would not harmfully erode the existing open green character of this corner location. Also, visually contained in the estate, it would be seen in the context of the existing built form such that the development would not harmfully alter the wider sense of openness that prevails in this area.
13. It is asserted that the new building would protrude beyond the existing line of dwellings on Bamfield. However, this would only be by a small amount, and the side of the new dwelling would roughly align with the garages to the rear of No 13. In any event, the existing building line in question relates to

properties fronting a different road to the appeal property. As already outlined the dwellings on Bamfield and Widcombe appear distinctly separate such that this small change on Widcombe would not harmfully disrupt any positive unifying features or rhythm of built form on that neighbouring road.

14. In summary, this infill development would be sensitive to the appearance and pattern of development that unifies the character of this suburban estate. Moreover, largely contained within the existing developed envelope, the proposal would not harm the positive open and verdant character of the wider area.
15. In light of the above, I find that the proposal would not have a harmful effect on the character and appearance of the area. In this regard the proposal would be consistent with Policy BCS21 of the Bristol Development Framework Core Strategy (Core Strategy) and Policies DM21, DM26, DM27, DM29 and DM30 of the Bristol Local Plan Site Allocations Management Policies (Local Plan). These Policies collectively seek high quality design, and amongst other matters, state that development of gardens should not result in harm to the character and appearance of the area and infill developments on return frontages should be compatible with the open character of corner sites.
16. The proposal would also accord with provisions of the National Planning Policy Framework (the Framework) which seek well-designed places and the efficient use of land, taking account, amongst other things, of the desirability of maintaining an area's prevailing character and setting (including residential gardens).

Other Matters

17. The appeal property is in the Hengrove and Whitchurch Park neighbourhood planning area. However, the policies of the Neighbourhood Development Plan focuses on a Park regeneration area and therefore are not directly relevant to this proposal. This aside, the Neighbourhood Development Plan seeks good design. For the reasons stated, the proposal would not conflict with that general policy aim.
18. Reference is made to other provisions of the Framework. With regards these provisions, the development would make effective use of land in a built up area with good access to local services and public transport. The small windfall site could be developed quickly. In keeping with the Government's objective to significantly boost the supply of homes, the development would make a small contribution to the supply of homes in Bristol. In this regard, it would also accord with the aims of Policy BCS18 of the Core Strategy. The proposal is consistent with the Framework in respect of these matters, and this weighs in favour of the proposal.

Conditions

19. Accordance with approved plans is necessary for certainty and in the interest of character. Materials to match the existing dwelling is also necessary for these reasons.
20. A drainage scheme is necessary to ensure the development is safe without increasing flood risk elsewhere. The evidence advanced regarding the site circumstances provides justification for requiring this prior to any development taking place. The appellant has submitted written agreement for this condition.

21. It is reasonable to monitor land contamination during construction in the interest of the local environment.
22. The approved plans show the location of the heat pump and specifications were also submitted. However, it is reasonable to finalise these details, and necessary to achieve the carbon reduction aims of Local Policies. It is also necessary to ensure measures of the Sustainability Statement are delivered for this reason.
23. Ensuring pedestrian access, cycle parking and waste bin storage is in place is necessary to protect living conditions, and, in the interest of encouraging sustainable patterns of transport.
24. The heat pump condition would allow the consideration of potential noise disturbance from that equipment. However, I find no convincing reason for a separate condition controlling noise from plant and equipment at this site. In the absence of clear reasoning, this would not be necessary or reasonable for this small residential development. Therefore, I have not imposed this condition in its suggested form.
25. The Council requests that permitted development rights for extensions and roof alterations to the dwelling or detached buildings at the property are removed. National guidance cautions that conditions restricting the future use of permitted development rights may not pass the test of reasonableness or necessity. There would be limited space for extensions or additional buildings in the new plot and these rights are subject to conditions and restrictions. I find it unnecessary to restrict rights related to these matters for these reasons. However, alterations to the roof at this prominent corner plot could have consequences which may warrant further consideration in respect of neighbours living conditions and/or character of the area. For this reason, it is justified and necessary to remove these rights.

Conclusion

26. For the reasons stated above and having regard to the development plan, and material considerations, including the Framework, the appeal is allowed.

A J Sutton

INSPECTOR

Appendix

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the Location Plan and Proposed Planning Drawing Number PLN-1.
- 3) The external surfaces of the development hereby permitted shall be constructed in the materials to match those used in the existing dwelling.
- 4) No development shall take place until a drainage scheme (based on sustainable drainage principles) and associated detailed design, management and maintenance plan of surface water drainage for the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and maintained thereafter.
- 5) If, during the development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to and approved in writing by the Local Planning Authority:
 - i) Risk Assessment;
 - ii) Remediation Strategy & Verification Plan.

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted to and approved in writing by the Local Planning Authority. The actions required above shall be completed in full accordance with the following guidance: Land Contamination Risk Management (Environment Agency, 2023) or any replacement of that guidance.
- 6) No development above base course level shall take place until details including the final layout, visual appearance, method of fixing, and technical specifications (including noise levels and output) of the air source heat pump have been submitted to and approved in writing by the Local Planning Authority. The heat pump shall be installed in accordance with the approved details and made fully operational prior to the first occupation of the dwelling and maintained in situ in accordance with the approved details and operational thereafter.
- 7) The development hereby permitted shall incorporate the climate change adaptations, mitigation, materials, water use and energy saving measures stated in the submitted Sustainability Statement (Mike Pringle Development Services – 13 Widcombe). All stated measures of that Statement (including the solar panels at the location shown on Proposed Planning Drawing Number PLN-1) will be installed prior to the first occupation of the dwelling and retained thereafter.
- 8) Prior to the first occupation of the development hereby permitted, the refuse store and area/facilities allocated for storing of recyclable

materials shall be completed in accordance with the approved Proposed Planning Drawing Number PLN-1.

Thereafter, all refuse and recyclable materials associated with the development shall either be stored within this store/area shown on the approved plan, or internally within the buildings on this site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

- 9) Prior to the first occupation of the development hereby permitted, the pedestrian and/or cyclist access shall be constructed in accordance with the approved Proposed Planning Drawing Number PLN-1 and shall thereafter be retained for this purpose.
- 10) Prior to the first occupation of the development hereby permitted, the cycle parking provision shown on approved Proposed Planning Drawing Number PLN-1 shall be installed, and thereafter retained for this intended use.
- 11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) no roof alterations shall be made to the dwellinghouse hereby permitted.

End of Schedule.