



Appeal Decision

Site visit made on 9 December 2024

by **P D Sedgwick BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 January 2025

Appeal Ref: APP/Z0116/D/24/3349821

8 Pembroke Road, Shirehampton, Bristol, BS11 9SQ

- 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 Elizabeth Wetherell against the decision of Bristol City Council.
 - The application Ref is 24/00147/H.
 - The development proposed is Remove section of front boundary wall and form vehicle cross over and off street parking form new entrance steps to ground floor. Planting and landscape to frontage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of the development in the banner heading above from the Council's decision notice, avoiding superfluous wording, as this gives a more concise description of the development proposed.

Main Issues

3. The main issues are:
 - whether the proposed development would preserve or enhance the character or appearance of the Shirehampton Conservation Area (CA); and,
 - the effect of the proposed development upon highway and pedestrian safety.

Reasons

Character and appearance

4. The appeal property is a semi-detached house set back from the pavement behind a low brick wall and front garden comprising paving slabs and planted shrubs. Houses elsewhere in the street are mainly terraced ranging in age from early 19th Century to post war and of varying designs. Most houses on the appeal site side of the road have front gardens and similarly low boundary walls which provide an element of uniformity that contributes to the character and appearance of the street scene. None have parking within their front curtilage.
5. As noted in the Shirehampton Conservation Area Character Appraisal (2023) (SCACA) and evident during my visit, the key features of interest on Pembroke Road are No 2, a Funeral Director's building close to the appeal site, which abuts the road edge and has distinct stone walls and brick corners and window and door

surrounds, and at the other end of the road the Grade II listed St Marys church and a terrace of 3 houses next to it, along with their stone boundary walls. The SCACA identifies the housing in between, including the appeal property, as neutral in terms of their visual and historic interest and contributing to the fragmented character of the street.

6. Although the brick wall boundary at the appeal site does not contribute to the special character of the CA, the removal of a section of it and the replacement of the front garden with off street parking would be out of character and harm the appearance of the street and thus the CA, even with the soft landscaping proposed by the appellant.
7. Given the small scale of the development within the context of the Conservation Area as a whole, it would not harm its character. There would however be harm in terms of its appearance. The harm would be localised, limited and less than substantial but would nevertheless be contrary to Policy BCS21 of the Bristol Local Plan Core Strategy (2011) (CS) and Policies DM26, DM27, and DM30 of the Bristol Local Plan Site Allocations and Development Management Policies (2014) (LP) which require development to contribute positively to an area's character.
8. Any harm to the significance of a designated heritage asset requires justification and, in accordance with paragraph 202 of the Framework, I must weigh the harm against the public benefits of the proposal. There would be modest benefits arising from the proposed installation of an electric car charging point. However, such benefits would not outweigh the harm to the appearance of the street scene and the Shirehampton Conservation Area.

Highway and pedestrian safety

9. No 2 Pembroke Road and its boundary wall project forward of other buildings along the road, cutting off the pavement and narrowing the road close to the appeal site. The road widens where its boundary wall cuts back in, enabling on street parallel parking in front of the appeal site and up to where the road narrows again by the Rising Sun Apartments further along the road.
10. Cars approaching the appeal site from the junction would be visible from the wing mirrors of any vehicle parked on the street in front of it, which would have a line of sight beyond No 2's boundary wall. However, a car parked in front of the house would be significantly set back such that visibility would be severely restricted by No 2's boundary wall. Consequently, a vehicle leaving the proposed off street parking space would need to edge out beyond parked cars either side of the crossover to see past No 2's wall towards oncoming traffic, at a point where the road is narrow, thus causing a potential hazard to traffic and an unacceptable risk to highways safety.
11. There would be mutual visibility between pedestrians and drivers entering and leaving the site. Therefore, despite vehicles obstructing the pavement at such times, I am satisfied that the risk to pedestrian safety would be minimal.
12. The proposal is therefore contrary to Policy BCS21 of the CS, Policy DM30 of the LP and Supplementary Planning Document Number 2 SPD2 - A Guide for Designing House Alterations and Extensions (2005) which require that development should not cause unacceptable traffic conditions. The Council's decision referred to TDM (March 2023). However, as I have not received a copy of

the policy from the Council and there is no reference to it in the Council's officer report I have not referred to it in my decision.

Conclusion

13. For the reasons given above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR