



Appeal Decision

Site visit made on 18 December 2024

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

an Inspector appointed by the Secretary of State

Decision date: 3 April 2025

Appeal Ref: APP/Z0116/D/24/3347508

18 The Chippings, Stapleton, Bristol BS16 1DX

- 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 Jeff Whittard against the decision of Bristol City Council.
 - The application Ref is 24/01240/H.
 - The development proposed is the formation of a new car parking space together with a drop kerb and pedestrian access to allow the provision of an electric car charging point.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - i. The effect on the character and appearance of the area, including the Stapleton and Frome Valley Conservation Area (CA); and
 - ii. The effect on highway safety.

Reasons

Character and appearance

3. The appeal site is located within the Stapleton and Frome Valley Conservation Area (CA). The part of the CA where the appeal site sits is characterised by a Radburn layout whereby groups of terraced homes face onto a central area of public open space. Modest open plan green front gardens have pedestrian access only and private gardens back onto the highway at the rear. The appellant's home is an end of terrace property, with a highway running to the side.
4. The appellant's front garden would retain its open green character when the parking space was not in use as it would be constructed of grasscrete. However, when in use, the significant visual intrusion of a parked vehicle in the front garden would interrupt, and be at odds, with the open green character of the appeal site and wider area, including the CA.
5. In view of the above, the proposed development would fail to preserve the character and appearance of the CA. The harm to the significance of the CA would be less than substantial. I have attached considerable importance and weight to avoiding any such harmful effect on the CA in accordance with Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 ('the Act'). The National Planning Policy Framework ('the Framework') advises that where a

proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal. Whilst the proposed parking space would provide some moderate social and environmental benefits, any public benefits would not be significant enough to outweigh the harm to the CA that I have found.

6. I conclude that the appeal proposal would fail to preserve or enhance the character and appearance of the CA and would not meet the requirements of the Act. The scheme would conflict with Bristol Development Framework Core Strategy (2011) (CS) Policies BCS21 and BCS22, Bristol Local Plan Site Allocations and Development Management Policies (2014) (LP) Policies DM26, DM30 and DM31 and the provisions of the Framework and Supplementary Planning Document 2, A Guide for Designing House Alterations and Extensions. Taken together these seek to secure high quality design which contributes positively to local distinctiveness and preserves or enhances the character and appearance of the site and area, including the CA.

Highway safety

7. Taken together, CS Policy BCS10 and LP Policy DM23 seek to secure safe streets where parking is accessible and meets the Council's adopted parking standards. Paragraph 116 of the Framework advises that development should only be rejected on highways grounds if the impact of the proposal would be severe.
8. The Council's Officer Report states that the proposed parking space would measure 4.1m in width and 5.2m in length. It confirms that this would meet the parking standard set out in the Local Plan of 2.4 m x 4.8m, with an additional 0.5m buffer required where the space abuts a structure. However, in this case, the Council requires a larger space, of 2.9m-3.4m x 5.8m. The Council advises that this would be to allow more space for the proposed EV charger, to avoid vehicles opening doors onto the adjoining footpath and to prevent vehicles overhanging the footway.
9. The proposed parking space would meet the Council's additional width requirement and therefore would be unlikely to give rise to vehicle doors being opened onto the adjacent footpath. I acknowledge that the proposed space would fall slightly short of the Council's required length. However, it would be deeper than a standard space. Therefore, this should be adequate to avoid a vehicle overhanging the footway. I am also satisfied that the additional width and length, over and above a standard space, would also secure sufficient room to accommodate the proposed EV charger. Taking all of this into account, I consider the dimensions of the proposed space would be acceptable and would not unduly harm pedestrian or highway safety.
10. I acknowledge that visibility to the right when exiting the proposed car parking space in a forward motion would be restricted by the adjacent dwelling. However, the proposed parking space would exit into an end of cul de sac / turning area, where any traffic movement would be minimal. Also, given the road layout, both exiting and passing vehicles would be likely to move slowly. As such, there would be unlikely to be any conflict between an exiting vehicle and other vehicles, bikes or pedestrians. Consequently, this arrangement would not unduly harm highway or pedestrian safety..

11. In view of the above, the proposal would be acceptable in highway safety terms and there would not be conflict with CS Policy BCS10, LP Policy DM23 and Paragraph 116 of the Framework.

Other matters

12. I have considered a number of matters submitted by the appellant in support of the proposals. I recognise that the scheme does not raise any concerns in terms of impact on protected species or a designated habitat. I also acknowledge that the Framework supports the installation of EV chargers and recognise their sustainability value.
13. However, none of these matters, on their own or cumulatively, would outweigh the harm that I have identified to the character and appearance of the site and area.

Conclusion

14. Whilst I have found that the proposal would be acceptable in highway safety terms, this would not outweigh the significant harm that I have identified to the character and appearance of the site and area, including the CA. Therefore, the proposal conflicts with the development plan and Framework as a whole.
15. There are no other considerations which outweigh the conflict with the development plan and the Framework. I therefore conclude the appeal should be dismissed.

Rebecca McAndrew

INSPECTOR