



Appeal Decision

Site visit made on 14 April 2025

by **D R Kay BA Dip.Arch RIBA**

an Inspector appointed by the Secretary of State

Decision date: 1 July 2025

Appeal Ref: APP/Z0116/W/24/3357601

98 Woodleigh Gardens, Hengrove, Bristol BS14 9JQ

- 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 Clarke Davis against the decision of Bristol City Council.
 - The application Ref is 24/02826/F.
 - The development proposed is a new dwelling attached to the side of existing property.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The decision notice does not state the drawing references of the drawings upon which the Council's decision was based. For clarity, the following drawing references are those which I have considered in reaching my decision:

Location Plan

Existing Elevations – Job No. 35 / 11 – Sheet 1

Proposed Site Plan – LPC.5717 PR 01 A

Proposed Ground Floor Plan – LPC.5717 PR 02

Proposed First Floor Plan – LPC.5717 PR 03

Proposed Elevations – LPC.5717 PR 04

Proposed Section A-A – Job No. 35 / 11 Sheet 5

Main Issue

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

Reasons

4. The appeal site is a corner property located within a predominantly residential area which is characterised by two-storey dwellings constructed either between the wars, or in the 1970's in a mix of architectural styles and materials. The properties are generally semi-detached, though there is an isolated example of a short terrace of three dwellings, created primarily because of in-fill development.
5. The appeal property, 98 Woodleigh Gardens (No.98), is constructed in red brick to the ground floor walls. Its upper floor is contained behind a steeply pitched mansard roof finished in a profiled concrete/clay tile, the upper portion of the roof being finished in matching tiles at a more traditional roof pitch and with a hipped gable above the mansard.

6. This form of development is specific to the properties around the junction of Woodleigh Gardens and Holly Ridge, the road with which the appeal property has its southern boundary. This boundary is currently defined by a head height timber panel fence between concrete posts, separating the site from the public footpath, and stepping down the slope of Holly Ridge as it travels further east.
7. The gap between the gable wall of No.98 and the boundary with Holly Ridge is around 4.85m. The property at No.96 Woodleigh Gardens (No.96), opposite the appeal site on the other side of Holly Ridge, forming the southern side of the junction of Woodleigh Gardens with Holly Ridge, has around 6.8m between its side gable and its boundary with the rear of the footpath of Holly Ridge.
8. The existing gables of No.98 and No.96 form the building lines for the historic development of the properties on Holly Ridge and are a characteristic and positive feature of this part of the street scene, resulting in a spacious feel around the junction of the two roads.
9. The appeal proposal would introduce a new dwelling in this space between the gable of No.98 and the boundary with Holly Ridge. The front and rear elevations of the proposal would be in line with that of the existing property at No.98 and would follow the pattern of development in terms of the brick walls to ground level, a steeply pitched mansard to the upper floor, and with a hipped roof above the mansard. All materials would match those of the host dwelling at No.98.
10. The gable wall of the proposal would form the southern boundary with the footpath on Holly Ridge, it being situated close to or on the boundary. Because of the form of development, the mansard roof and its associated rainwater gutter would project in front of the gable wall potentially projecting over the public footpath. The application drawings do not acknowledge the sloping nature of Holly Ridge, particularly the rise in the footpaths' level as it joins with Woodleigh Gardens, and therefore the potential for pedestrian clashes with the projecting roof and rainwater goods has not been highlighted.
11. The appeal proposal would be significantly narrower than the host dwelling and its semi-detached neighbour and therefore the resulting terrace would appear unbalanced. It would extend development right to the boundary of the property at the rear of the public footpath. The siting of the proposal on a corner plot, together with the extent of development, would result in the loss of the set back of development from the public footpath and highway at the junction, removing the feeling of openness, a key characteristic of the area. As a result, I find the proposal would be incongruous in its immediate surroundings, would fail to respect the areas particular characteristics and would harm its character and appearance.
12. The appellant has drawn my attention to the development at 1 Honeymead (No.1), suggesting that this sets a new building line for development on Holly Ridge. Having reviewed the development at No.1, it is a single-storey side extension which still maintains a gap between its gable and the boundary with Holly Ridge, it is subservient to the main two-storey dwelling and does not create a new building line. Consequently, I find that this is not an addition that undermines some of the characteristic features of this part of the street scene. I therefore attribute it limited weight in support of the proposal.

13. The appellant has also drawn my attention to a development at 94 Woodleigh Gardens (No.94), which is argued to be similar to the proposal, thereby providing justification. However, I do not consider that it is comparable to the appeal proposal for several reasons. Firstly, the width of the available plot to accommodate an additional dwelling at No.94 was greater. Secondly, the location of the plot at No.94 was an infill between two existing residential dwellings, with sufficient space to still allow a gap between the new dwelling and adjacent property, maintaining the pattern of development. It did not undermine the spaciousness at a junction. Finally, the width of the new dwelling at No.94 matched that of the host dwelling, such that it matched the widths and scale of the existing dwellings against which it would be seen, turning a pair of semi-detached dwellings into a terrace of three similar dwellings. I therefore attribute the development at No.94 limited weight in support of the appeal scheme.
14. I have concluded that the proposal would harm the character and appearance of the area. Consequently, I find the proposal would be contrary to policy BCS21 of the Bristol Core Strategy (2011) and policies DM26, DM27 and DM28 of the Site Allocations and Development Management Policies Local Plan (2014), which require, among other things, development to seek high quality design that respects local character and distinctiveness, and which responds appropriately to building lines and setbacks from the street.

Planning Balance

15. The council have confirmed their current 5 Year Housing Land Supply (5YHLS) figure as 4.14 years. Accordingly, paragraph 11(d) of the National Planning Policy Framework (the Framework) is engaged for decision making purposes.
16. There are no protected areas or assets as referenced in paragraph 11(d)(i) and footnote 7 of the Framework that would provide a strong reason for refusal. Therefore, the test set out in paragraph 11(d)(ii) applies, which states that permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, including the key policies cited.
17. The proposal would create undue harm to the character and appearance of the area. Consequently, I have found it would conflict with the Local Plan policies in this regard, and with the development plan when considered as a whole.
18. In terms of the benefits of the scheme, the proposal would provide a boost to housing supply, on a windfall site, within the built-up area. The principle of infill development is acceptable in this area. The occupants of the new dwelling would be in an accessible location relative to local services, facilities and employment and the additional housing unit would be energy efficient. These matters attract moderate weight in favour of the development.
19. I am conscious of the need to have particular regard to the key policies identified in paragraph 11(d)(ii) of the Framework. In this case, the additional dwelling would be directed to a sustainable location and would make effective use of the land but would not secure a well-designed plan. Whilst a small unit of accommodation would be formed, and therefore may be less expensive than others in the area, it would not be secured as an affordable home for someone in housing need. Taking all these matters into account, including the Council's lack of a Framework compliant

supply of housing land, as only a single additional unit of accommodation would be delivered, I afford the collective benefits, limited weight in favour of approval.

20. The Local Plan and Neighbourhood Plan are more than five years old. However, the policies within the Local Plan, with which the development conflicts, generally accord with those of the Framework. Therefore, the policy conflicts I have found attract full weight against the scheme in this case. The Framework confirms that good design is a key aspect of sustainable development and fundamental to what the planning and development process should achieve.
21. As set out above, collectively, the benefits attract limited positive weight in the planning balance. However, I have found that there would be permanent harm caused to the character and appearance of the area, which attracts full weight in the planning balance.
22. Consequently, I consider that the adverse impacts of approval of the development at this location, because of its harm to the character and appearance of the surrounding area, would significantly and demonstrably outweigh the benefits of doing so. Accordingly, the scheme would not represent sustainable development and this weighs to a large extent against the development.

Conclusion

23. For the reasons set out above, I conclude that the appeal proposal would be contrary to the development plan when considered as a whole and that there are no material considerations, including policies in the Framework, that would justify determining other than in accordance with it. Therefore, the appeal should be dismissed.

D R Kay

INSPECTOR