
Appeal Decision

Site visit made on 27 September 2016

by Rory Cridland LLB (Hons)

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21st October 2016

Appeal Ref: APP/Z0116/W/16/3151696

Rear of 147 Mina Road, St Werburghs, Bristol BS2 9YF

- 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 Matthew Buck against the decision of Bristol City Council.
 - The application Ref 15/05740/F, dated 3 November 2015, was refused by notice dated 7 January 2016.
 - The development proposed is described as “replacement of existing brickwork stores building at the rear of No. 147 Mina Road with a one bedroom flat located above retained stores on ground floor below”.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) the effect of the proposal on the character and appearance of the existing building and the surrounding area;
 - (ii) the effect of the proposal on the living conditions of occupiers of No 145 Mina Road with particular regard to outlook and those of future occupiers with particular regard to internal living space; and
 - (iii) whether the proposal makes adequate provision for the storage of bicycles.

Reasons

Character and appearance

3. The appeal site is located on a corner plot and is prominent in views from both Mina Road and Sneddon Road. It forms part of a terrace of properties in Mina Road, although unlike these properties, the appeal property itself has a third storey and projects further out toward the adjacent highway. It includes a two storey side/rear extension and a single storey brick storage building to the rear which is separated from the main building by a small courtyard. The side elevation extends along Sneddon Road, where the courtyard and low level storage building provide visual separation between No 147 and the contrasting design of the properties further along.
 4. The proposal would involve the demolition of the existing single storey building and the creation of a new structure with storage space on the ground floor and
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residential accommodation above. While at present the site is read visually as part of the rear of No 147, the proposal would result in an elongated side elevation which would appear overly prominent along Sneddon Road. The loss of visual separation would have a discordant effect on the wider street scene and would be harmful to its appearance.

5. This would be exacerbated by the inclusion of windows which would be different in both design and materials to that of the host building. They would jar with the appearance of the existing building, and, in doing so, would contribute negatively to the area's character.
6. Accordingly, I find that the proposal would be harmful to the character of the existing building and would impact negatively on the street scene. As such, it would conflict with Policy BCS21 of the Bristol Development Framework Core Strategy¹ (CS) and Policies DM27 & DM29 of the Site Allocations and Development Management Policies² (SADMP) which, amongst other things, requires new development to deliver high quality design which contributes positively to an areas character and identity and reinforces local distinctiveness.

Living conditions

7. The site adjoins the rear outside space of No 145 Mina Road. This area is already quite enclosed but includes a gap between the existing stores and the main building. This provides a considerable amount of visual relief to the occupiers of No 145 when utilising this space.
8. The proposed development would result in an increase in height and a closing of this gap which would materially alter the outlook of those residing at that neighbouring property. It would significantly increase the sense of enclosure and, in doing so, would have a materially negative impact on their enjoyment of this space. As such, I consider it would be harmful to their living conditions.
9. Furthermore, CS Policy BCS18 requires residential development to meet appropriate space standards. From 1st October 2015 government policy is for existing local plan policies relating to internal space standards to be interpreted by reference to the nearest equivalent national technical standard³.
10. The proposed dwelling would provide around 47m² of internal floor space. The internal space required for a 1 bedroom, 2 person 1 storey dwelling is 50m² (plus an additional 1.5m² of built in storage). While I note the appellant intends for it to be occupied by a single individual, the calculation of bed spaces for this purpose is based on the number of bed spaces that *can* be accommodated rather than those actually intended. It is a means of classification for assessment purposes only and does not imply actual occupancy. Consequently, in falling below the required space standard, I find that the proposal would provide inadequate internal space for future occupiers contrary to CS Policy BCS18.
11. While I note that the proposal has been designed to be subservient to the host dwelling, and would not result in the overlooking of No 145, I do not consider this to be sufficient to overcome the harm identified above.

¹ (2011)

² (2014)

³ DCLG Written Ministerial Statement dated 25 March 2015

12. Consequently, I find the proposal would provide unacceptable living conditions for the occupiers of No 145 Mina Road with particular regard to outlook and for future occupiers with particular regard to internal living space. As such, it would be contrary to CS Policies BCS18 & BCS21 and SADMP Policy DM29 which require new development to, amongst other things, deliver high quality design which meets appropriate space standards, safeguards the amenity of existing development and creates a high quality environment for future occupiers.

Cycle storage provision

13. Although provision for cycle storage is included in the plans, the Council does not consider its dual use as a storage area for refuse to be acceptable. While I agree that such an arrangement can often be problematic, no policy has been identified which would indicate that this arrangement would, in itself, be unacceptable.
14. Nevertheless, in view of the small size of the area proposed, the manoeuvring of both bins and bicycles in and out would seriously compromise the usability of that space for either purpose. This would be contrary to Policy DM23 which requires new development to provide safe, secure, accessible and usable parking provision. It would also fail to reflect the transport user priorities set out in CS Policy BCS10.

Other Matters

15. The appellant has made references to the development opposite at the rear of No 149 Mina Road, where, it is suggested, a precedent has been set. Although I do not have full details of that scheme, I was able to view it on site. However, despite its similarities, that development has a different roof structure, height and overall design to the proposed scheme and I do not consider its impact to be comparable. Furthermore, the scheme at No 149 was granted permission prior to the introduction of both the current development plan and the National Planning Policy Framework. As such, it was determined under a completely different set of policies to those currently in place. Accordingly, I do not consider it sufficient to act as a justifiable precedent for the development proposed.
16. While I note the appellant's references to the government's consultation on proposed changes to national planning policy, the outcome of that consultation is unknown at present and I must determine this appeal on the policies in place at the present time.

Conclusion

17. For the reasons set out above, I conclude that the appeal should be dismissed.

Rory Cridland

INSPECTOR