



Appeal Decision

Site visits made on 12 June and 3 July 2017

by Chris Couper BA (Hons) DipTP MRTPI

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

Decision date: 13 July 2017

Appeal Ref: APP/Z0116/W/17/3171683
101 Queen's Road, Clifton BS8 1LW

- 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 Ware (West End Investments (Clifton) Ltd) against the decision of Bristol City Council.
 - The application Ref 16/04773/F, dated 5 September 2016, was refused by notice dated 5 December 2016.
 - The development proposed is internal alterations to accommodate an additional bedroom (Flat 2) together with associated internal and external alterations.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether or not the scheme would make adequate provision for the storage and collection of refuse.

Reasons

3. The 6 cluster flats in this three storey building provide a total of 30 bed spaces for students. The existing ground floor plan (drawing no. 715/802) ('the EGFP') shows that it has a roughly 'L' shaped bin store area. One section includes a door onto Richmond Hill ('part A'), although I understand that following damage and security issues that door has not been used for taking bins in or out since 2015. The other linked section ('Part B') has an internal access from the lobby.
4. Proposed ground floor plan (drawing no. 715/803C) ('PGFP') shows that Part A would be converted to provide an additional bedroom, whilst Part B would remain unaltered from the area as depicted on the EGFP. However, at the site visit on 3 July the parties undertook some measurements and agreed that whilst the EGFP shows that area to be approximately 5.3m long, the bin store's actual length here is approximately 3.18m. Whatever the bin store's precise length it is clearly much shorter than shown on the EGFP. It was also apparent at the visit that there are other significant discrepancies between the EGFP and the building's actual layout to the rear of the existing bin store.
5. On the basis of the submitted drawings, interested parties may have concluded that the proposed bin store area in Part B would remain unaltered compared to that part of the existing bin store as built. However, given the discrepancies

between the EGFP and the scheme as built, it is not clear whether that would be the case. Implementation of the PGFP would entail significant reconfiguration of the existing building's layout, including the repositioning of some substantial internal walls. I cannot therefore be certain precisely what the appellant's intentions are, on what basis interested parties may have chosen whether or not to comment, or what the dimensions of the proposed bin store would be.

6. Given that considerable ambiguity, it is unclear whether the scheme would provide enough space for the 8 x 360 litre, and 2 x 120 litre bins that the appellant states the scheme would need; nor can I be certain whether it would comply with the Council's requirement for proposals to make adequate storage for recycling/refuse in Policy DM2 of the Bristol Site Allocations and Development Management Policies Local Plan 2014, or with the advice in its Waste and Recycling: Collection and Storage Facilities Supplementary Planning Guidance 2010.
7. The Council's decision alleges that the bin storage area would be inadequate, and that its location, and the arrangements for collection, would harm the living conditions of the occupants of the flats, result in obstruction of the public highway, and would harm the character and appearance of the area, including the Clifton Conservation Area.
8. However, given the discrepancies that I have identified, I cannot reach a firm conclusion on those matters, nor against the development plan policies cited by the parties. In these circumstances, I have little option other than to dismiss the appeal.

Chris Couper

INSPECTOR