
Appeal Decision

Site visit made on 26 June 2017

by K Ford BSocSc (Hons) MSc MRTPI

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

Decision date: 03 August 2017

Appeal Ref: APP/Z0116/W/17/3172646

16 Green Lane, Avonmouth, Bristol BS11 9JD

- 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 C Drew against the decision of Bristol City Council.
 - The application Ref 16/06486/F, dated 28 November 2016, was refused by notice dated 20 January 2017.
 - The development proposed is conversion of single dwelling house to two self-contained one bedroom flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The impact on living conditions in terms of the adequacy of the living space for future occupants.
 - The safety of future occupants as a result of flood risk.

Reasons

Living Conditions

3. No 16 Green Lane is a 2 storey mid terrace dwelling set back from the highway by a front garden. To the rear is garden space and a garage accessed via a back alley. The dwelling currently comprises a lounge, dining room, kitchen, conservatory and bathroom on the ground floor and 3 bedrooms on the first floor. The proposal is to create 2 one bedroom flats each containing a lounge, bedroom, kitchen and bathroom. The garage to the rear would be used for parking for the occupants of the ground floor flat and the front garden would be block paved to provide parking for the first floor flat and also house a bicycle container and storage for 2 wheeled bins.
4. The plans (revision B) indicate that each flat would have a floor space area of 44.5 sq. metres. Whilst this exceeds the nationally described space standards for one bedroom one person flats such development is not encouraged by the Council. Policy BCS18 of the Bristol Core Strategy (2011) requires flexibility and adaptability within a living environment to respond to changes in circumstances without having to move home.

5. With regards one bed 2 person flats, the proposal is 5.5 sq. metres less than the 50 sq. metres required by the national standard. Proportionally, this is a significant shortfall in what is a minimum standard. The proposal does not contain any built in storage within the ground floor flat and whilst I note the appellant's reference to the shed and garage as providing storage options for that flat I do not consider this to be a solution for day to day items.
6. The proposal would not provide sufficient space for everyday activities and it would create poor quality accommodation for the occupants as a result of the cramped living environment. The proposal would not therefore comply with policy BCS18 and BCS21 of the Core Strategy which requires development to create a high quality environment for future occupiers and create buildings and spaces that are adaptable to changing conditions. Nor would it comply with policies DM27 and DM30 of the Site Allocations and Development Management Policies Local Plan (2014) which requires that development be able to adapt or change over time and safeguard amenity.

Flood Risk

7. The property falls with flood zone 3a. As the proposal would result in the creation of a ground floor flat the future occupants of such a flat would be very vulnerable in the event of a flood as they could not escape to first floor accommodation, as would be the case with the existing situation.
8. The flood risk assessment submitted fails to adequately address key matters relating to considerations that include the effect of flooding, the impacts of climate change and in the event of a flooding incident what measures would be put in place to keep occupants of the ground floor flat safe. I do not consider it appropriate to deal with the extremely serious matter via a pre-commencement condition as measures to mitigate flood risk may need to be designed into the development. The proposal consequently would not conform with policy BCS16 of the Core Strategy which requires development to be resilient to flooding through design and layout and/or incorporate mitigation measures.
9. While the appellant advises that the property is protected by flood defences, it is widely accepted that flood risk is assessed on the basis of there being no defences in place as there is no guarantee that these will always be effective.

Other Matters

10. I have had regard to the example of a similar conversion at 26 Green Lane and visited the property as part of my site visit. It has not however changed my view with regards the proposal at No 16. The circumstances have changed since the approval of No 26 in terms of the publication of new national space standards and in any event each case is determined on its own merits. The previous decision does not therefore set a precedent that should be applied to this case.
11. I note the imbalance of housing in the area and that the proposal would contribute to redressing this by providing smaller units. However, this is outweighed by the harm that would be caused to the living conditions of future occupants of the flats and my findings in relation to flood risk.

Conclusion

12. For the reasons outlined, and having regard to all other matters raised I conclude that the appeal should be dismissed.

K Ford

INSPECTOR