



Appeal Decision

Site visit made on 14 November 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 24th November 2017

Appeal Ref: APP/Z0116/W/17/3180971

Rear of 67 Burchells Green Road, St George, Bristol BS15 1DT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr L Morton against the decision of Bristol City Council.
 - The application Ref 16/06957/P, dated 19 December 2016, was refused by notice dated 12 May 2017.
 - The development proposed is a 1 bed bungalow.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The application was submitted in outline form with matters of access, layout and scale to be determined at this stage and matters of appearance and landscaping reserved for later consideration. I have determined the appeal on the same basis.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area, and whether the development would provide satisfactory living conditions for its future residents with regard to their internal and external living space.

Reasons

Character and appearance

4. The appellant has confirmed that the site does not form part of the garden of No 67, and at my site visit I saw a fence between the appeal site and the garden of that house. Also the drawings do not indicate the two sites to be in the same ownership.
5. The site is, therefore, between the rear garden of No 67 and the rear garden of No 38 Freshland Way. It adjoins Phipps Barton, from where it would take its access. The bungalow would generally reflect the height and proportions of the bungalows at Nos 35 and 38 Freshland Way, but it would be on a much smaller plot. Indeed the plot would be considerably smaller than any of the others in the immediate vicinity. Consequently, the dwelling would occupy the vast majority of the site, abutting the front, rear and east boundaries and leaving only a small gap to the west boundary. In this respect also it would contrast

with the neighbouring bungalows which have a greater degree of spaciousness around them, particularly to their front and rear. Consequently, it would appear cramped on its site when viewed from Phipps Barton, and would appear incongruous in the context of the pattern and layout of surrounding development.

6. This incongruity would harm the character and appearance of the area. The proposal would therefore be contrary to Policy BCS21 of the Core Strategy (CS) which, among other things, expects development to contribute positively to an area's character. It would also conflict with Policies DM26 and DM27 of the Site Allocations and Development Management Policies document which both generally seek to ensure development respects the local character of the area including the pattern, layout and form of development.

Living conditions

7. The Council state the dwelling would provide insufficient internal living space. The Planning Practice Guidance states that where a local planning authority wishes to require an internal space standard, they should only do so by reference in their Local Plan to the nationally described space standard¹. Although Policy BCS18 of the CS requires development to provide sufficient space for everyday activities, it does not refer explicitly to the nationally described space standard. As such I cannot apply the standard and, as the internal accommodation does not appear to be unreasonably small, I do not consider this significantly weighs against the proposal.
8. The outdoor amenity space would also be small, but I consider it would not be unacceptable for a one bedroom dwelling which would most likely be occupied by one or two people and not a family with children.
9. Consequently I do not consider the development would fail to provide acceptable indoor and outdoor living space and hence satisfactory living conditions would be provided. Therefore the development would not conflict with Policy BCS18 as set out above, and Policy BSC21 which aims to ensure proposals provide a high quality environment for future occupiers.
10. Nonetheless, although I consider sufficient outdoor amenity space would be provided, this does not contradict the dwelling's cramped appearance on its plot which results from its proximity to three of its boundaries and the proportion of the site which it covers.

Other matters

11. A Coal Mining Risk Assessment was produced during the Council's determination the application. It confirms there is a low risk of shallow coal seams beneath the site, but considers that it is likely that the coal under the site is unworked. Although the appellant asserts the Coal Authority do not object to the development, I have no evidence of any formal comments from them. However in light of my views on the effect of the development on the character and appearance of the area, this separate issue is not a matter upon which the appeal turns and it has not formed part of my deliberations.
12. The appellant suggests there is a high demand for affordable houses locally. However, notwithstanding the fact that there is no formal undertaking to

¹ Technical housing standards - nationally described space standard

ensure the dwelling is secured as an affordable unit, I have not been provided with any evidence of this demand. I also do not consider the site is currently unattractive and the proposal would not represent a visual improvement.

Conclusion

13. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

Andrew Owen

INSPECTOR