The Planning Inspectorate

# Appeal Decision

Site visit made on 30 June 2020

**by M Allen BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 28 July 2020**

**Appeal Ref: APP/Z0116/W/20/3248031**
**3 Marsh Street, Bristol BS1 1RT**

- 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 Roger Taylor against the decision of Bristol City Council.
- The application Ref 19/03609/F, dated 23 July 2019, was refused by notice dated 4 October 2019.
- The development proposed is the conversion of the existing 2no. third floor flats into 3no. flats.

## Decision

1. The appeal is allowed and planning permission is granted for the conversion of the existing 2no. third floor flats into 3no. flats at 3 Marsh Street, Bristol BS1 1RT in accordance with the terms of the application, Ref 19/03609/F, dated 23 July 2019, subject to the following conditions:

   1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Numbers 01 Rev P1, 213 Rev P1 and 313 Rev P2.

## Main Issue

2. The main issue is whether or not the occupiers of Flat 6 would experience satisfactory living conditions, with particular regard to the internal floorspace of the unit.

## Reasons

3. The third floor of the appeal building currently comprises two flats, consisting of one 2-bed unit and one 3-bed unit. The proposal seeks to convert these into three flats which would comprise three 1-bed units. The Council raises no concern in respect of Flat 7 and 8, which would be 1-bed, 2-person units, and based on the evidence before me I have no reason to consider differently. The Council's concern therefore relates to Flat 6.

4. Flat 6 would be a 1-bed 1-person unit with a floorspace of 37 square metres (sqm). The Council refers me to its Practice Note – Space Standards (2011) (the PN) and the guidance contained therein, specifically that whilst unit sizes are provided for 1-bedspace units, it is expected that new dwellings will provide at least 2-bedspaces. It is further advised that this is the smallest unit size that

could meet the flexibility and adaptability requirements of policies BCS15, BCS18 and BCS21 of the Bristol Development Framework Core Strategy (2011) (the Core Strategy). However, it is noted that the standards within the PN are not enshrined within the development plan policies themselves.

5. At 37 sqm the flat would meet the minimum floorspace for a 1-bedspace unit. The appellant has also submitted details showing that the bedroom is capable of accommodating a double bed together with a single bed. Whilst I accept that this is not an ideal situation for long term occupation it does, to my mind, demonstrate that there is a sufficient, if limited, degree of flexibility and adaptability provided to allow for future scenarios such as that set out in the PN, for example accommodating visitors or a temporary carer. I am also conscious that policy BSC18 seeks to ensure delivery of a mix of housing sizes, which the proposal would contribute to.

6. Accordingly, I find that the space standard for a 1-bedspace unit would be met and that the unit would be sufficiently flexible and adaptable. In this context, I find good reason, in this instance, to depart from the guidance of the PN in respect of expecting new dwellings to provide a minimum of 2-bedspaces. Therefore, occupiers of Flat 6 would experience satisfactory living conditions, with particular regard to the internal floorspace of the unit. The proposal consequently accords with the policies of the Core Strategy referred to above, as well as policy DM27 of the Bristol Local Plan Site Allocations and Development Management Policies (2014). Together, and amongst other things, these policies seek to ensure development enjoys sufficient space for everyday activities and enables flexibility and adaptability, as well as providing buildings that are adaptable to changing social conditions and design that optimises adaptability.

**Other Matters**

7. I am aware of concerns expressed by interested parties in regard to the management of the premises, as well as maintenance of the building and reference to requirements of leases. Whilst these matters are noted, they are unrelated to the planning merits of the main issue I set out above. As such, these matters have little bearing on my decision.

8. The site lies within the City and Queen Square Conservation Area. The Council raise no concern over the effect of the proposal on this designated heritage asset and given the lack of external alterations, I have no reason to find differently.

**Conditions**

9. In addition to the standard implementation condition, it is necessary in the interests of clarity, to define the plans with which the scheme should accord.

**Conclusion**

10. For the reasons above, and having regard to all other matters raised, I conclude that the appeal should succeed.

*Martin Allen*

INSPECTOR