
Appeal Decision

Site visit made on 21 September 2021

by Benjamin Webb BA(Hons) MA MA MSc PGDip(UD) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 29 September 2021

Appeal Ref: APP/P0119/W/21/3274871

104 Coniston Road, Patchway, Bristol BS34 5JT

- 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 Akbar Naseh against the decision of South Gloucestershire Council.
 - The application Ref P20/23275/F, dated 19 November 2020, was refused by notice dated 9 April 2021.
 - The development proposed is described as a new attached dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effects of the development on the character and appearance of the area;
 - the effects of the development on the living conditions of future occupants with regard to the provision of private outdoor amenity space; and
 - whether the development would provide an appropriate amount of parking space.

Reasons

Character and appearance

3. 104 Coniston Road is one of a semi-detached pair of dwellings which are located within an area that appears to have originated as a post-war Council estate. This contains a mix of flats, houses and bungalows, between which there remains a strong degree of consistency in terms of design and layout. This helps to give the estate a distinctive character.
4. Within this context, the semi-detached pair in question retain a strong degree of symmetry despite minor changes in details, and a consistent simple rectilinear form which is widely repeated across the surrounding area.
5. The proposed development would see a dwelling added alongside No 104, in a space whose shape and dimensions are insufficient to accommodate a duplicate. This is presumably why a semi-detached pair rather than a row of 3 dwellings was constructed when the estate was laid out.

6. The proposed dwelling would be narrower than the existing pair, and of an irregular tapering, elongated shape, whose form would appear wholly at odds with the existing design. Though similar materials and details would be used, the composition of the frontage would not match that of the adjoining pair given its narrowness. Whilst thus appearing incongruous in itself, the proposed dwelling would detract from the regular form and symmetry of the existing pair. This would be appreciable from the frontage, from neighbouring dwellings, and from the large communal parking and manoeuvring space located to the rear. It would be made more apparent by the strong consistency in design and layout of the estate at large, with which the development would clearly conflict.
7. For the reasons outlined above I conclude that the development would have an unacceptable effect on the character and appearance of the area. It would therefore conflict with Policy CS1 of the Core Strategy 2013 which requires proposals to respond constructively to the distinctiveness of an area, and Policy PSP1 of the Policies Sites and Places Plan 2017 (the PSP) which requires development to respect and enhance the character, distinctiveness and amenity of a site and its context.

Living conditions

8. Policy PSP40 of the PSP sets out standards for the provision of amenity space. As a guide, the minimum requirement for a 2-bed house is 50m². The supporting text sets out a range of functions that such space is intended to cater for.
9. The area of proposed outdoor amenity space to the rear of the dwelling would fall well below this standard. As annotated on the plan, there would be little distinction between it and the parking space, each of which would be similarly block paved. The amenity space would also be an irregular shape, and directly compromised by parking, a cycle store, and presumably also by bins. Required vehicular access would additionally mean that the space would not be enclosed to the rear. The dimensions of the space might well mean that it would be possible to hang washing or sit within it. However, in view of the above its quality would nonetheless be unacceptably poor even if different surfacing was to be secured, and unlikely to provide a safe or suitable environment for children to play in.
10. As the size of the proposed outdoor amenity space would fall well below that typically enjoyed by the occupants of dwellings within the surrounding area, the context does not provide a basis for me to consider that the level or quality of proposed provision would be acceptable.
11. I note that the dwelling would also have a front garden, and that the supporting text of Policy PSP40 states that such spaces should be included within any assessment. The front garden would however remain an unenclosed lawn forming part of the broader open plan design of the estate, thus severely limiting its potential uses. As such it would not compensate for the poor quality of the space to the rear.
12. For the reasons set out above I conclude that the development would fail to provide acceptable living conditions for future occupants given its inadequate provision of private outdoor amenity space. It would therefore conflict with Policy PSP40 of the PSP as set out above.

Parking

13. Policy PSP16 of the PSP, which is amplified by The Residential Parking Standards Supplementary Planning Document 2013 (the SPD), sets out parking standards in relation to development. These indicate the requirement to provide one parking space for each 2-bed dwelling, or one space each for the existing and proposed dwellings.
14. The existing dwelling has a small garage to the rear. This is accessed from the adjoining communal parking and manoeuvring space. The garage would be removed to facilitate the scheme. It is however unclear whether this garage is regularly used for parking. The plans also appear to indicate that it falls below the minimum dimensions required by Policy PSP16 and the SPD in order to qualify as a parking space. Whether the scheme would result in the loss of any existing on-site parking space is therefore open to question.
15. Either way, the scheme would see the provision of 2 parking spaces within the site, which the plans indicate would meet the minimum dimensions of 2.4m x 4.8m set out within Policy PSP16.
16. The footnotes of Policy PSP16 additionally recommend that spaces of greater width should be provided where parking would occur adjacent to the wall of a dwelling, and where pedestrian access is required in addition to parking. This serves the purpose of enabling practical access to, from and around parked vehicles. As both spaces would be positioned close to a boundary, and pedestrian access would be required for the new dwelling, increased widths would be appropriate.
17. It appears that this would be achievable in relation to the space proposed for the new dwelling, albeit at the cost of significantly reducing the already inadequate area of outdoor amenity space. It does not appear likely that this would be achievable in relation to the space proposed for the existing dwelling, however scope would exist for a larger space to be created further into the garden. Such an adjustment could be secured by condition, and it appears that this would represent an improvement over the existing parking arrangements.
18. Consultees have also questioned whether vehicles could manoeuvre in and out of the proposed spaces. No tracking diagrams have been provided, but it is clear that insufficient space exists for vehicles to turn on-site. Be that as it may, access would not be onto the public highway, but into the communal space to the rear, within which ample turning space is available. In this regard the arrangement would be no different to that which would exist were the existing garage to be of a functional size and/or used for parking.
19. For the reasons set out above I conclude that the scheme would make adequate provision of parking space. It would therefore comply with Policy PSP16 of the PSP and the SPD, as set out above.

Other Matters

20. The proposed dwelling would make more efficient use of the site and provide an additional dwelling in a well-connected location. However, any related social, economic and environmental benefits would be outweighed by the harm that I have identified in relation to character and appearance and living conditions. That being so, these benefits do not indicate that the development should be considered acceptable, or therefore alter my findings above.

Conclusion

21. The effects of the development in relation to the character and appearance of area and the living conditions of future occupants would be unacceptable, giving rise to conflict with the development plan. There are no other considerations which alter or outweigh these findings. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.

Benjamin Webb

INSPECTOR