



Appeal Decision

Site visit made on 11 March 2022

by Lewis Condé BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: Thursday 31 March 2022

Appeal Ref: APP/Z0116/W/21/3287133

2 Winton Lane, Totterdown, Bristol BS4 2AB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Bishop against Bristol City Council.
 - The application Ref 21/04525/H, is dated 18 August 2021.
 - The development proposed is 'Convert existing integral garage for use as home office'.
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Decision

1. The appeal is allowed and planning permission is granted to 'Convert existing integral garage for use as home office' at 2 Winton Lane, Totterdown, Bristol BS4 2AB in accordance with the terms of the application, Ref 21/04525/H, dated 18 August 2021, 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: Site Location Plan; and Proposed Alterations (Reference: DRG No. 001, Date Aug '21).
 - 3) The materials to be used in the construction of external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. Whilst the Council did not issue a decision on the planning application, it has provided a statement setting out the reasons why it would have refused planning permission. This has informed the main issue of the appeal.

Main Issue

3. The main issue is the effect of the proposed development on highway safety.

Reasons

4. 2 Winton Lane is a contemporary, three storey, end of terrace property. It is one of a terrace of 5 dwellings, each with integral garages that are accessed from Winton Lane. The surrounding area is primarily residential in nature.
5. The appeal property is located on the corner of Winton Lane and Winton Street. Except for a small number of properties near its access junction, Winton Lane predominantly contains rear accesses and garages to properties located on the parallel streets of Knowle Road and Bushy Lane. Winton Lane is also relatively

- narrow in width, a no through road, and has restrictions preventing parking along most of its length. It is therefore a lightly trafficked street. Similarly, Winton Street is a narrow road with restrictions preventing on street parking.
6. The proposed development would result in the loss of the only on-site parking space serving the appeal dwelling. Due to the parking restrictions in place, the nearest off-site parking would be located on either Knowle Road or Bushy Lane approximately 75m from the dwelling.
 7. Both Knowle Road and Bushy Lane are long streets that provide off-street parking for much of their lengths on both sides of the highway. This off-street parking is not part of a controlled parking zone for resident permit holders. As indicated, many of the properties on these neighbouring streets have rear garages accessed from Winton Lane, which tend to be larger in scale than the garage serving the appeal property. Several other properties on the neighbouring streets have off-road parking within front gardens, whilst many properties in the surrounding area also benefit from private parking courts.
 8. The appellant has advised that the garage measures 4.6m by 2.2m, which is suggested as being unsuitably sized for modern cars and is not reflective of current minimum parking space standards. However, no parking space standards have been provided by either party. From the available evidence, the garage appears to be an extremely tight space for most cars, such that it would be very difficult to get in and out of a vehicle when parked within the space. Furthermore, the narrow width of Winton Lane and the size of the garage, would make the manoeuvring of a vehicle into the space difficult.
 9. While there is a planning condition requiring the garage's retention as a parking space, its limited scale is highly likely to discourage parking of a vehicle within it. Indeed, due to the size constraints, the appellant indicates the garage is never used for the storage of a vehicle. Therefore, whilst the proposal would technically result in the loss of a vehicle parking space at the site, pragmatically, there would not be a change in the current parking circumstances.
 10. The site is also situated in a highly sustainable location within close proximity to the city centre. It benefits from good access to transport options, as well as facilities and services. Therefore, vehicle ownership is not essential for day-to-day needs.
 11. Overall, the proposal would not adversely affect parking demand in the area. Even if the loss of the garage does result in increased parking demand for one additional vehicle, there is no substantive evidence that the surrounding streets cannot accommodate this. Additionally, the parking restrictions along Winton Lane, together with its quiet nature, should ensure that highway safety is suitably maintained.
 12. Given the site-specific characteristics, the development would not result in adverse effects on highway safety. Consequently, the proposal accords with Policy BCS21 of the adopted Bristol Development Framework Core Strategy 2011 ('Core Strategy'), Policies DM26, DM27, DM30 of the adopted Site Allocations and Development Management Policies Local Plan 2014 ('SADMP') and guidance contained within the LPA's Supplementary Planning Document 'A Guide for Designing House Alterations and Extensions' (October 2005). Together these policies and guidance, amongst other matters, seek to ensure

development appropriately integrates different modes of transport, responds appropriately to local patterns of movement and function of streets, and includes adequate parking.

13. Whilst the LPA has not provided details within its appeal submission, I am also aware that Policy DM23 (Transport Development Management) of the SADMP is concerned with matters of highway safety and the provision of suitable parking, including providing details of maximum parking standards. Due to the specific circumstances of the appeal scheme, the proposals would also not conflict with this policy.

Other Matters

14. The LPA has raised concerns that the development, if allowed, could set a precedent for the loss of garages in the wider street. However, each individual case should be based on its own planning merits. The impacts of any similar applications from neighbouring properties would therefore need to be assessed accordingly, including any cumulative impacts.

Conditions

15. In addition to the standard time condition, a condition requiring development to be complete in accordance with the approved plans is necessary in the interests of proper planning. A condition requiring that external finishing materials match the existing building is also necessary in the interest of the character and appearance of the development and wider area.

Conclusion

16. For the reasons outlined above and having regard to the development plan, and all other material considerations, the appeal is allowed and planning permission is granted.

Lewis Condé

INSPECTOR