



Appeal Decision

Site visit made on 19 July 2022

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 August 2022

Appeal Ref: APP/Z0116/W/22/3295226

7 Crown Hill, St George, Bristol, BS5 7JL

- 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 Mrs L Tripp against Bristol City Council.
 - The application Ref 21/06185/F is dated 16 November 2021.
 - The development proposed is described as “proposed new dwelling on land adjacent to 7 Crown Hill, St George.”
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Decision

1. The appeal is allowed and planning permission is granted for a proposed new dwelling on land adjacent to 7 Crown Hill, St George at 7 Crown Hill, St George, Bristol, BS5 7JL in accordance with the terms of the application, Ref 21/06185/F, dated 16 November 2021, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appeal follows the Council’s failure to determine the application within the prescribed period. However, the Council has indicated in submitted correspondence that had it been able to determine the application, it would have granted planning permission.

Main Issue

3. I consider the main issue to be the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal building is one half of a pair of semi-detached, two storey dwellings which are typical of the area. There is a spacious feel to the street scene which contributes positively to its character and appearance. It is made up of evenly spaced pairs of buildings set behind front gardens and parking areas. Although some buildings have been altered, with garages and extensions erected within the gaps between pairs, their single storey nature and set back design helps reinforce the spaciousness of the area. The appeal site is a corner plot with a gravelled area to the front, parking and garden to the side, and garden to the rear.
5. The proposed development would adjoin the side elevation of 7 Crown Hill, appearing as a side extension. The proposed development would incorporate a set-back from the main front elevation and a drop from the ridge line of the

roof. This approach results in the proposed development appearing subordinate to No 7. Although the appeal property sits on a prominent corner plot, due to its size and siting, this would not result in it appearing harmfully prominent.

6. Whilst the proposal would bring built development closer to the boundary, a gap would be retained between the proposed dwelling and the boundary of the plot. Additionally, whilst there would be a reduction in space between properties, due to its location on a corner plot, adjacent to Crown Hill Walk, the overall reduction in space would not appear obvious in the wider street scene.
7. I therefore conclude that the proposed development would not have a harmful impact on the character and appearance of the area. It would comply with Policy BCS21 of the Bristol Development Framework Core Strategy (2011) (CS) and Policies DM27 and DM29 of the Bristol Local Plan Site Allocations and Development Management Policies (2014) (LP) which seek, amongst other things, to ensure that development is designed to a high standard and contributes positively to an area's character and identity. The proposed development would also comply with paragraph 130 of the National Planning Policy Framework (Framework) which seeks to ensure that developments are visually attractive and sympathetic to local character.

Conditions

8. The Council have provided a list of conditions, which I have assessed in regard to the advice provided in the Planning Practice Guidance (PPG). I have altered the wording of conditions in order to ensure they comply with the PPG. The appellant has had the opportunity to view the proposed conditions, however, have not provided any comment. I consider that conditions the provision of a refuse area and cycle parking necessary to ensure that there is no obstruction to pedestrian or vehicular movement. A condition regarding sustainable drainage required to ensure that adequate drainage is provided.
9. With regards to the condition relating to a heating strategy, I have not been provided with any policies that specifically require that gas is not used to heat the proposed dwelling. CS Policy BCS13 requires that sustainability statements be submitted to demonstrate how development is contributing to mitigating and adapting to climate change. A sustainability statement and energy strategy were submitted with the appeal, and this details a reduction in carbon emissions of 20.79% by utilising energy efficiency measures and solar panels. As such, as there would be a reduction in carbon and not having been provided with evidence or policy that an alternative means of heating is required, I do not consider this condition necessary. I have however included a condition requiring these measures to be in place prior to the use of the dwelling.

Conclusion

10. For the reasons given above, and having regard to all other matters, I conclude that the appeal should be allowed.

Tamsin Law

INSPECTOR

Schedule of 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: 7 CH 001 and 7 CH 200.
- 3) No building hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - a. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - b. include a timetable for its implementation; and
 - c. provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 4) Prior to the occupation of the development hereby permitted the measures detailed within the Sustainability Strategy shall be completed and operational. These measures shall be retained for the lifetime of the development.
- 5) Prior to the occupation of the development hereby permitted the refuse area detailed on plan 7 CH 200 shall be completed. No refuse or recycling material shall be stored or placed on the public highway or pavement, except on the day of collection.
- 6) Prior to the occupation of the development hereby permitted the cycle parking detailed on plan 7 CH 200 shall be completed. Thereafter, it shall be kept free from obstruction and only available for the parking of cycles.