



Appeal Decision

Site visit made on 20 February 2024

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 February 2024

Appeal Ref: APP/Z0116/W/23/3327937

1 Chaundey Grove, Hartcliffe, Bristol BS13 9QY

- 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 Jordan Gazzard against the decision of Bristol City Council.
 - The application Ref 22/04818/FUL, dated 29 September 2022, was refused by notice dated 16 May 2023.
 - The development proposed is erection of a two storey extension to existing property to create new 2 bedroomed dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As part of the appeal, the appellant has provided an amended plan showing a repositioned wall within the proposed dwelling. Given the small and wholly internal nature of the change, I consider that no party would be prejudiced by my determining the appeal based on the amended plan.
3. Since the appeal was lodged, a revised National Planning Policy Framework (the Framework) has been published. Although I have made my determination against the updated national policy context, the relevant changes to the Framework are not fundamental to matters which are determinative to the outcome of this appeal.

Main Issues

4. The main issues are:
 - the effect of the proposal on the character and appearance of the area
 - whether the proposal would make adequate provision for energy efficiency and climate change, and
 - whether the proposal would provide adequate living conditions for its future occupiers, with regard to internal space.

Reasons

Character and Appearance

5. The appeal site consists of an end-of-terrace dwelling at the corner of Chaundey Grove and Coleshill Drive. It is within a post-war estate of semi-detached and terraced houses. Many properties are set back from the road behind modest gardens, providing a building line that broadly follows the

alignment of the road. This layout, together with large areas of recreational open space provide a distinctive sense of consistency and spaciousness to the estate.

6. The proposal seeks to erect an additional dwelling that would be closer to Coleshill Drive than the host dwelling. There are open spaces at Chaundey Grove and Lyveden Gardens. Even so, the building line either side of Coleshill Drive remains strong, being reinforced by semi-detached houses at 54 and 56 Coleshill Drive, as well as the lengthy rows of dwellings further along the road. The common setback position of many buildings on corner plots hereabouts adds to the low-density character of the area.
7. In contrast, the proposal would be positioned significantly further forward of the established building line. As a result, its layout, mass and scale would interrupt the consistent pattern of development, undermining its rhythm and diminishing the spacious nature of the site and its surroundings. As such, the proposal would appear harmfully intrusive and incongruous in the street scene.
8. Examples have been provided of new dwellings approved on corner plots, in breach of building lines. These include nearby 1 Horesham Grove¹, 2 Vigor Road² and other examples in Bristol, including two allowed at appeal³. Some of these relate to roads of short length, where the extent of the breach was found to be insignificant, or the building line weaker. Others were found to be sufficiently set back, or the reasoning for their effect on the building line is not before me. Not all are harmonious forms of development worthy of replicating.
9. The need for consistency in decision-making is important. Ultimately however, this must be set against the requirement to properly apply the policies of the Development Plan and the Framework. Therefore, the other examples cited do not provide sufficient reason to justify the harm that would be caused by the proposal.
10. As such, it would harm the character and appearance of the area, contrary to policy BCS21 of the Bristol Development Framework Core Strategy, adopted June 2011 (the Core Strategy) and policies DM26, DM27, DM29 and DM30 of the Bristol Local Plan Site Allocations and Development Management Policies (SADM), adopted July 2014. Amongst other things, these require respect for local character and distinctiveness, including building lines and setbacks. Similarly, the proposal would conflict with the emphasis of the Framework on visually attractive development. Consequently, I give this conflict significant negative weight.

Energy Efficiency

11. Core Strategy Policy BCS14 requires proposals to have a renewable heating system for each individual building if no other solution within the heat hierarchy of the policy is suitable. It also requires provision of renewable energy generation, sufficient to reduce residual carbon dioxide emissions by at least 20%. The proposal includes a replacement gas boiler, together with photovoltaic panels which would exceed the necessary reduction.

¹ LPA reference 19/06163/F

² LPA reference 17/02651/F

³ PINS references APP/Z0116/W/15/3127971 and APP/Z0116/W/21/3287872

12. However, there is no dispute that a gas boiler would not be a renewable system and that the photovoltaic panels have not been shown on the proposed plans. Even if details of the panels and their position could be secured by a planning condition, no specific alternative heating system has been identified. The design of such an alternative system could have implications for the character and appearance of the area, or the living conditions of nearby properties, for example because of noise. It could also require further changes to the submitted plans.
13. Accordingly, in the absence of further details, I cannot safely leave this matter to a planning condition. For these reasons, the proposal would not make adequate provision for energy efficiency and climate change. It would therefore conflict with Core Strategy Policies BCS13, BCS14 and BCS15 and the Climate Change and Sustainability Practice Note, July 2020. These seek to reduce carbon dioxide emissions, maximise energy efficiency and adapt to climate change. For similar reasons, the proposal would also conflict with the aim of the Framework to reduce greenhouse gas emissions and give this conflict significant negative weight.

Living Conditions

14. The Government's Nationally Described Space Standard (NDSS) sets minimum requirements for internal floor space. The proposal as considered by the Council had two bedrooms, each with sufficient space for two persons, therefore providing four bed spaces overall. Based on this floorplan, the proposal did not have sufficient space to meet the NDSS requirement.
15. However, for the reasons I have already given, a different internal layout is before me. This reduces one bedroom to a size sufficient for just a single bed, so that the proposal would have only three bed spaces overall. Consequently, it would meet the NDSS requirement for such accommodation, and would have enough space to provide quality, adaptable and flexible space.
16. As such, the proposal would provide adequate living conditions for its future occupiers with regard to internal space. Accordingly, it would comply with Core Strategy Policy BCS18, which requires sufficient space for everyday activities by meeting the appropriate space standards, namely the NDSS. In respect of this issue, the proposal would similarly comply with Core Strategy policies BCS20 and BCS21, SADM policies DM14, DM27 and DM29 and the Framework, all of which require a healthy and high-quality environment for future occupiers. This matter is therefore neutral in the planning balance.

Other Considerations

17. The Council cannot currently demonstrate an adequate supply of housing land, said to be at 3.7 years. As such, it is necessary for me to determine whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits inherent in providing an additional dwelling to assist the Council in addressing its undersupply, as set out in paragraph 11 of the Framework.
18. I have found conflict with Core Strategy policies BCS13, BCS14, BCS15 and BCS21, and SADM policies DM26, DM27, DM29 and DM30, which are consistent with the Framework. I therefore find that the proposal would conflict with the Development Plan as a whole. Against that, the proposal would make a positive

contribution to the supply of housing. However, due to the proposal being for only a single dwelling, such benefits would be limited.

19. Future occupiers of the proposal would make a positive social and economic contribution to the area. It would also have economic benefits, for example to local businesses and the building industry, and to public sector receipts. The proposal would make more efficient use of land, on a small previously developed site that could be delivered quickly. However, these benefits would be limited because of the small size of the proposal.
20. I have also noted comments made about the Council's handling of the case and that a previous planning application at the site⁴ had different reasons for refusal. However, I have focused my consideration on the planning merits of the proposal before me.

Planning Balance and Conclusion

21. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission, and therefore appeals, must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Given the harm that I have identified, the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
22. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR

⁴ LPA reference 18/03617/FUL