



Appeal Decision

Site visit made on 5 March 2024

by Jonathan Bore MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 March 2024

Appeal Ref: APP/Z0116/W/23/3332012

2a Vigor Road, Hartcliffe, Bristol BS13 9QH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by J Cook against the decision of Bristol City Council.
 - The application ref is 22/04759/F.
 - The development proposed is the conversion of a double garage into a 1 bed dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are, firstly, the effect of the development on the character of the area; secondly, the effect on the living conditions of existing and prospective occupiers; and thirdly, the contribution of the scheme to housing supply and housing choice.

Reasons

The effect of the development on the character of the area

3. 2a Vigor Road and the garage to the rear were built under planning permission 7/02651/F. In the appeal scheme, the newly built garage would be converted to a small 2 storey dwelling, and part of the garden to the rear of 2 Vigor Road would be separated off to create a garden area for the converted garage.
4. Policy BCS20 of the adopted Bristol Core Strategy encourages efficiency in the use of land and allows for higher densities in certain circumstances, taking account of the characteristics of the site and its context and the need to achieve high quality, well-designed environments.
5. However, the scheme would not achieve a high quality, well-designed environment. The dwelling would be very close to the rear of 2 and 2a Vigor Road and it would be necessary to carve out part of the garden area to provide outside space for the new occupants. Whilst the erection of the garage has already caused the loss of some of the rear garden area, the scheme would leave both 2 Vigor Road and the new residential unit with extremely small gardens.
6. This area is characterised by a relatively spacious development pattern of two storey houses fronting estate roads, with reasonable-sized rear gardens. The residential use of what was originally designed to be a rear garage, and the

very small gardens that would be a consequence of the development, would appear incongruous here.

7. The scheme would be a cramped form of residential development out of keeping with the character of the area, and would conflict with Policies BCS20 and BCS21 of the Core Strategy and Policy DM26 of the adopted Site Allocations and Development Management Policies Document, which together seek to ensure that development is sympathetic to local character, provides high quality living environments and retains local distinctiveness.

The effect on the living conditions of existing and prospective occupiers

8. The upper floor of the proposed dwelling would be lit by rooflights, and substantial garden walls have been erected in an attempt to create privacy. Nevertheless, the proposed dwelling would simply be too close to its neighbours to allow for an adequate level of privacy or satisfactory external space for existing and prospective residents. The upper floor windows in Vigor Road would look at close range towards the rear of the proposed dwelling and its garden. The small rear garden of the proposed dwelling would be dominated by its boundary walls and by the adjacent buildings and would provide poor quality amenity space.
9. The scheme would create unsatisfactory living conditions for both existing and prospective occupiers and would conflict with Policy BCS21 of the Core Strategy and Policies DM27 and DM30 of the Site Allocations and Development Management Policies Document which require development to safeguard the amenity of existing occupiers, maintain adequate levels of privacy and provide adequate, appropriate and useable amenity space.

The contribution of the scheme to housing supply and housing choice

10. Core Strategy Policies BCS1 and BCS5 seek to promote new development and regeneration and encourage development in built up areas. There is a need for new homes in the area, which has less than 5 years housing land supply, and the proposed dwelling would provide a different form of accommodation from those prevalent in the area, and would potentially meet the needs of a different kind of household.
11. However, the scheme would make only a very minor contribution towards housing land supply and housing choice. Although there is a housing land supply shortfall, that does not diminish the importance of those development plan policies designed to protect local character and ensure good living conditions. The benefits of providing the additional dwelling would be significantly and demonstrably outweighed by the harm that would arise from the scheme.

Conclusion

12. I have taken into account all the other matters raised but they do not alter the balance of my conclusions. For the reasons given above, the appeal is dismissed.

Jonathan Bore

INSPECTOR