



Appeal Decision

Site visit made on 29 May 2024

by L J O'Brien BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 June 2024

Appeal Ref: APP/Z0116/W/24/3339948

3 Cotswold Road, Bristol BS3 4NX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Samuel Railton against Bristol City Council.
- The application Ref is 23/01744/H.
- The development proposed is described as "modification to the property front, rear and internal re-work: drop kerb installed at front of house for vehicle access, basement room converted into garage space for EV charging (garage door with pedestrian access fitted to replace the existing window), access to basement via existing doorway to be removed, area to be bricked up, and replaced by new pedestrian access in garage door (access hatch to manhole cover installed), new front door, selected internal chimney breasts to be removed, access to garden location changed at rear of the property (new door to be installed), addition of upstairs bathroom, roof rebuild & addition of dormer bedroom to rear of property (with windows)."

Decision

1. The appeal is dismissed and planning permission is refused insofar as it relates to proposed dropped kerb with access to Cotswold Road, basement room converted into garage. The appeal is allowed insofar as it relates to the remainder of the application and planning permission is granted for access to garden location changed at rear (new door installed), roof rebuild & addition of dormer bedroom to rear with windows at 3 Cotswold Road, Bristol, BS3 4NX in accordance with the terms of the application, Ref 23/01744/H, 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 so far as they are relevant to that part of the development hereby permitted: RW011-01 Existing Location Plan and Floor Plans, RW011-02 Existing Plans, RW011-03 Existing Elevations, RW011-04 Existing Section, RW011-10b Proposed Basement and Ground Floor Plans, RW011-11b Proposed First Floor and Roof Plans, RW011-12 Proposed Elevations, RW011-13a Proposed Section.

Preliminary Matters

2. The appeal relates to a planning application that was not determined by the Council within the prescribed period. The Council have subsequently issued a statement for the purposes of this appeal highlighting that it would have

refused the application for planning permission. The Council's concerns are that the proposal would cause harm to the character and appearance of the area and would fail to provide an adequately sized parking space within the proposed garage in conflict with the adopted local planning policies. I have had regard to the Council's statement in framing the main issues.

3. In the interests of clarity, I have taken the description of development from the Council's statement of case rather than that found on the original application form. This document describes the development as "Proposed dropped kerb with access to Cotswold Road, basement room converted into garage. Access to garden location changed at rear (new door installed). Roof rebuild & addition of dormer bedroom to rear with windows."
4. At the time of my site visit works had commenced at 3 Cotswold Road to renovate all items that the appellant considers fall within permitted development. Whether or not the works undertaken thus far fall within the defined permitted development rights is outside of the scope of this appeal. As such, I have considered the proposal in its entirety based on the submitted plans.

Main Issues

5. The main issues in this appeal are:

- the effect of the proposal on the character and appearance of the area; and
- whether or not the proposal would provide adequate parking provision with particular regard to relevant adopted local planning policies.

Reasons

6. The appeal site comprises a mid-terrace dwelling which has an enclosed back garden situated towards a bend in the road where Cotswold Road becomes Cotswold Road North. The area is characterised by similar terraced properties with three stories, bay window projections and symmetrical front staircases leading to front doors on the side of the road where the appeal property is located. Similarly, the other side of the road has three storey terraces but these have external staircases leading down to basement levels.

Character and appearance

7. The proposal includes a number of alterations such as bricking up the existing access to the basement, changing the access to the rear garden and installing a new door. The Council consider these alterations to be acceptable and I concur that they would be sympathetic to the host dwelling and would not cause harm to the character and appearance of the area. The Council also raise no issues with the rebuild of the roof and the addition of a dormer bedroom to the rear in any respect. As I have set out above in respect of the other alterations, I am satisfied that the proposed dormer and roof alterations would represent a considerate addition to the property which would be well proportioned and would not appear dominant or visually jarring in any respect. These elements of the proposal would sit comfortably within their surroundings and would integrate well with neighbouring properties.
8. The proposal also includes the conversion of the basement level living room to a single garage. In order to facilitate these works the kerb in front of the

- property would be dropped, an existing side door under the external staircase would be blocked up and the front window would be replaced by a garage door. The first-floor projecting bay window would be retained.
9. The appeal property is one of a smaller terrace which is terminated by a unit with the appearance of a shop and separated from the main terrace along Cotswold Road by a set of stairs leading up to Mendip Road. The property at No 3 is, therefore, visually separated from the larger terrace of symmetrical, similar properties along the rest of the road.
 10. The appeal property also has a different style bay window and staircase design to the others along this side of the road and as such does not contribute to the visual cohesion in the same way that other properties nearby do. Furthermore, the property is situated at a point in the road where the character dramatically changes as the bend sweeps around to become Cotswold Road North. Cotswold Road North comprises many garages which directly front the road.
 11. Additionally, due to its position in the street and the nearby projecting front external staircases the basement level of the appeal property is largely screened from views along Cotswold Road.
 12. For these reasons, in my view, the introduction of a garage and removal of a window in this particular location would not cause harm to the sense of uniformity created further along the road. Though I note that other garages are not present along Cotswold Road they are commonplace on Cotswold Road North and the location of the appeal property is such that it represents a transition between the two different characters. I do not consider that the proposal would appear unsympathetic to, or visually incompatible with, the neighbouring properties and the overall character of the street. I therefore consider that the proposal would not cause harm to the character and appearance of the area.
 13. The proposal would, therefore, comply with Policy BCS21 of the Bristol Development Framework Core Strategy, June 2011 (CS) which seeks to ensure that development delivers high quality urban design by, amongst other things, contributing positively to an area's character or identity, creating or reinforcing local distinctiveness.
 14. The proposed development would also accord with Policies DM26, DM27 and DM30 of the Bristol Site Allocations and Development Management Policies Local Plan, July 2014 (LP). These policies reinforce the requirements of Policy BCS21 by, amongst other things, stating that development should respect the local pattern and grain of development, respond appropriately to the height, scale, massing, shape, form and proportion of existing buildings and, where alterations to existing buildings are concerned, development should respect the siting, scale, form, proportions, materials, details and the overall design and character of the host building, its curtilage and the broader street scene.
 15. The proposal would also meet the aims of the guidance set out within Supplementary Planning Document 2: A Guide for Designing House Alterations and Extensions (SPD) which states that alterations should reflect the character of the property and the wider area.

Parking provision

16. Cotswold Road is a fairly narrow road and, at the time of my site visit, was heavily parked along both sides of the road. I also noted that other nearby roads such as Cotswold Road North were also heavily parked. I was able to identify only one or two vacant spaces.
17. Bristol City Council's Transport Development Management Guide (TDMG) recommends a rectangular space of 3 meters wide by 6 meters in depth for a single garage. The plans before me indicate that the proposed garage would have a total depth of approximately 6.1m and a maximum width of around 4.4m. However, the plans also demonstrate that the garage would be unusually shaped; indicating that the front garage door area would be around 2.089m wide, this would then increase to a width of 4.442m for a depth of about 3.390m before reducing to a width of 2.434m. As such, whilst at times the width of the proposed garage would exceed the required standard and the volume of the space would be satisfactory, overall, the proposed garage would not meet the guidance set out in the TDMG.
18. Given the average size of a modern motor vehicle and the limited width of the front section of the proposed garage, I am of the view that, despite the additional space in front of the garage, manoeuvring a vehicle into the proposed garage would be very difficult. The dense on-street parking would exacerbate this. I consider that the proposed garage would not provide a safe, readily usable or accessible parking space.
19. The proposal includes a dropped kerb to allow access to the proposed garage. This element of the proposal would result in the loss of at least one on-street car parking space to the front of the property. As the proposed garage would not meet the required space standards, in my view, the loss of the on-street parking space would not be satisfactorily mitigated.
20. I note the Council's statement that while the proposal involves the loss of one parking space on the street, it also provides one additional parking space and the overall impact on parking availability is not significant enough to warrant refusal in this respect. However, I have found that the proposed parking space within the garage would not be sufficiently sized to safely accommodate a motor vehicle as per the Council's guidance.
21. Consequently, in my view, due to the circumstances in the area which I have set out above and in the context of this particular site the dropped kerb and garage elements of the proposal would cause unacceptable harm to the parking provision in the area.
22. I therefore consider that this element of the proposal would fail to comply with Policy DM23 of the LP which states that development should not give rise to unacceptable traffic conditions and sets out that, in accordance with the parking standards, development proposals will be expected to provide an appropriate level of safe, secure, accessible and usable parking provision.
23. I note the appellant's desire to include a charging point for an electric vehicle. I also accept that, should they so wish, the appellant could block the dropped kerb with their own vehicle. However, these considerations would not be sufficient to outweigh the harm I have identified above.

Other Matters

24. I acknowledge views from neighbouring residents that they consider previous developments on the property have caused significant disruptions. However, in this instance such disruption would be limited due to the small scale of the proposal and would not be so harmful so as warrant a refusal of planning permission.

Conditions and Conclusion

25. Although I have not identified any harm to the character and appearance of the area, I have found that the proposed dropped kerb and garage would fail to comply with local planning policy and would cause harm to parking provision in the area. However, as the elements of the proposal are clearly physically and practically severable, I have taken the approach of issuing a split decision in this appeal.
26. Though elements of the proposed development are said to have begun, as set out above, I am determining this appeal on the basis of the plans before me. As such I have imposed the standard time limit condition. I have also imposed a condition specifying the relevant plans as this provides certainty.
27. For the reasons given above, and having considered all other matters raised, I conclude that the appeal should be allowed in part and planning permission should be granted and dismissed in part and planning permission should be refused.

L J O'Brien

INSPECTOR