

Bristol City Council Statement of Case

Appeal Ref: 24/02222/PINS

Application Ref:

Site Address: 87 Queenshill Road, Bristol, BS4 2XQ

Proposal: Erection of a two-storey side extension comprising 1no self-contained dwellinghouse.



Introduction

Site Description

The application site is on Queenshill Road, adjacent to the junction with Crossways Road, south of Knowle Park Primary School. The surrounding area is primarily residential, aside from the primary school and Knowle Community Centre. Currently, the site is occupied by a semi-detached dwelling with a front and rear garden, and a garage with driveway access from Crossways Road. The site backs onto Paignton Square, a development of around 35 residential dwellings approved in 2015. The site is not within a conservation area.

Background

The application , 23/00867/F has been refused for the proposal of 2 new dwellings to land adjacent to and rear of 87 Queenshill Road to include 1 2 Bed, 3 Persons, end of terrace dwelling and 1 4 Bed, 6 Persons dwelling to the rear with associated amenity and parking space.

The reasons for the application's refusal are set out below for reference:

1. The proposed development, by virtue of its scale, bulk, massing, form, positioning and overall design in relation to the attached and surrounding properties, would represent an inappropriate over intensive form of development that would fail to respond to the local development patterns and special qualities of the area, and would fail to appear subservient in the context of backland development. The proposal would represent an over intensive form of development, resulting in a cramped and overdeveloped appearance to the plot, which would be detrimental to the character of the area. Furthermore, by occupying the side garden of the host property, the proposed development would impact the characteristic open corner plots that are a defining feature of the area, which would be detrimental to the appearance and character of the streetscene. As such the proposed development would be contrary to the National Planning Policy Framework (2023); Policy BCS21 of The Core Strategy (2011) and Policies DM26, DM27 and DM29 of the Site Allocations and Development Management Policies (2014).

2. The scale, form, mass and proximity of the proposed dwelling in the rear garden of the host dwelling (87B) would result in detrimental harm to the quality of outlook to neighbouring properties, including 85 Queenshill Road, and the host property. The proposal would also have a detrimental impact on the quality of outdoor amenity space for the flats at Paignton Square by way of overbearing impact and additional shadowing. The position of the firstfloor windows of 87B would furthermore lead to a sense of perceived overlooking and loss of privacy for the amenity space of 85 Queenshill Road. The proposal is therefore contrary to guidance contained

within National Planning Policy Framework (2023); Core Strategy (2011) Policy BCS21 and Site Allocations and Development Management Policies (2014) DM27 and DM30.

3. The proposed development fails to provide adequate or appropriate car parking arrangements, and fails to provide appropriate access arrangements to the cycle store. The development would give rise to unacceptable traffic conditions and would not provide safe access to the highway network. The proposal is therefore contrary to guidance contained within National Planning Policy Framework (2023); Core Strategy (2011).

Assessment

The applicant has sought to address the reasons for refusal as set out above within the application to be determined by the Inspectorate, and so these will be discussed in turn below:

A) Design and Character

Upon review of the revised drawings submitted within the application, it is understood that the key change involves the removal of a 2 storey, 4 bed, 6 person dwelling within the rear curtilage of the site. This would significantly mitigate concern in relation to an over-intensive and poor quality of back land development as set out within the first part of the refusal previously issued in relation to design and character impact.

Nevertheless, the addition of an attached two-storey dwelling in this location would still have a harmful impact on the quality of the established street scene in this location, whose positive characteristics draw heavily on a carefully planned layout incorporating a strong rhythm and repetition of scale, form, proportions and overall design, as well as generally strong adherence to building lines, planned gaps between development and the retention of open corners.

In adding a full height dwelling to the side of the existing house, the proposal would visually unbalance the semi-detached pair, detrimentally eroding the above character traits of the wider residential area and directly conflicting with guidance contained within the NPPF (2023), policy BCS21 of the Bristol Core Strategy (2011) as well as policies DM21 and DM26-30 of the Site Allocation and Development Management Policies (2014).

It is noted that there is not a strong building line along the westernmost section of Crossways Road owing to recent residential development to the west of the site, however it is considered that this in itself does not mitigate impact to the street scene at the junction of Crossways Road with Queenshill Road, where the siting of the dwelling would appear as an overly prominent and uncharacteristic development disrupting the well-preserved arrangement of open corners and adherence to clear building lines.

There is evidence on the established street scene of relatively sympathetic approaches to additional development, such as 68a Queenshill Road, which retains the open corner, avoids disruption to building lines and better retains a balanced appearance to the subject dwelling, however this approach would not be feasible within the subject site.

In this regard, the new application fails to successfully overcome in full the original reason for refusal on design and character grounds as a result of its siting and scale on a sensitive open corner site. Proposals continue to conflict with National Planning Policy Framework (2023); Policy BCS21 of The Core Strategy (2011) and Policies DM21, DM26, DM27, DM29 and

DM30 of the Site Allocations and Development Management Policies (2014) and the proposal is not supported in this regard.

B) Amenity impact

Revised plans remove the dwelling in the back garden on the subject property. This is a positive change in terms of detrimental impact to the living conditions of surrounding residents. Overbearing, overshadowing, loss of outlook and overlooking would be substantially less and within normal residential levels under revised proposals and so the scheme is not resisted in this regard.

C) Harmful impact to Highways safety

The previous application was refused based on inadequate car parking and access to cycle storage. The Council's Transport Development Management Team were consulted in relation to this revised scheme and have returned the following comment set out below:

Principle / Property History

The application is for the erection of a 2-storey 2-bedroom dwelling in the garden of the existing dwelling at the site.

Related applications include nos. 23/00867/F, for a 2-bed dwelling in the same position as currently proposed, and a 4-bed dwelling in the rear garden of no.87, which was refused on highway safety grounds, among others; and 17/03726/F, for a 2-bed dwelling in the garden of an existing dwelling at 68 Queenshill Road, which was granted.

The applicant states erroneously on the application form that no residential units exist at the site, indicating that only 1x 2-bed units is proposed within the red line boundary.

Access & Car Parking

1. The existing site plan (dwg no. 24149-PL04) shows 3x off-street car parking spaces alongside Queenshill Road and vehicle crossovers from Queenshill and Crossways Roads, in contrast to the existing site plan submitted with the previous application (23/00867/F), which showed none of the above.

2. TDM avers the 'supporting photos' submitted with the application demonstrate that the purported off-street parking space adjacent to the proposed dwelling (no.87a) is not served by a formal dropped kerb vehicle crossover from Crossways Road, which requires a Licence (S171/184) issued by the Council. It is not clear whether a formal vehicle crossover at Queenshill Road serves the off-street spaces at the existing dwelling.

Proposed dwelling

3. As stated in our response to the previous application at the site, the position of the off-street parking space shown on the proposed site plan adjacent to the proposed dwelling (no.87a) is unacceptable. A vehicles exiting the parking space would, on account of its orientation when parked and the 1.1m-tall fence (in excess of 0.6m), lack adequate visibility of vehicles

approaching NB along Queenshill Road. The proposed layout also introduces vehicle movements over a footway forming part of a key pedestrian route to local schools and open green space. Moreover, the narrow width of the Crossways Road carriageway (approx. 3.9m) indicates that manoeuvring into the off-street space could be difficult without overrunning the footway at the junction and entering the carriageway at a point other drivers would not expect, increasing the risk of collision.

4. The applicant refers at p.12 of the Planning Statement dated 14 May 2023 to the development (17/03726/F) at 68 Queenshill Road, which was approved following the relocation, at TDM's request, of the proposed off-street parking to at least 11m from the Crossways/Queenshill Road junction. TDM considers the same distance should apply in this case.

5. TDM therefore considers that off-street vehicle parking at the proposed dwelling (no.87a) in close proximity to the junction of Crossway Road/Queenshill Road gives rise to unacceptable detriment to pedestrian and highway safety.

Existing dwelling

6. TDM accepts that local examples set a precedent for off-street vehicle parking directly accessible from Queenshill Road, however, and as stated in TDM's memo dated 22 November 2023 in response to application no. 23/00867/F, the 2x parking spaces shown on the proposed site plan (dwg no. 24149-PL05) in front of the existing dwelling at no.87 do not meet the minimum dimensions for a parking space (2.4m x 4.8m + 0.5m buffer adjacent to structures). As such, there is likely insufficient space for the number of parking spaces shown and it is likely that vehicles would overhang the adopted footway, which would, contrary to the applicant's claim at p.11 of the Planning Statement, be to the detriment of pedestrian movement and safety.

7. The proposed site plan shows a total of 3x parking spaces serving the existing dwelling at no.87 (2x at Queenshill Road and 1x in the rear garden at Crossways Road). Assuming 3x bedrooms at the existing dwelling, the maximum quantum of 1.5x car parking spaces permitted by the Local Plan parking standards could, in TDM's view, and given the site's location and local highway conditions, be adjusted to a maximum of 2x spaces. TDM therefore considers that 3x parking spaces for the existing dwelling is excessive.

8. Considering the reduction in the scale of development in comparison with the previous application at the site, TDM agrees that no parking survey is necessary.

Cycle & Refuse Storage

9. The applicant proposes cycle and refuse in the rear gardens of the existing and proposed dwellings. The proposed access to each storage unit is acceptable.

Recommendation

10. Having regard to submitted details of the proposed property layout and associated facilities, TDM avers the development would, as a result of inadequately accessible and useable off-street car parking spaces at both the existing and proposed dwellings, give rise to unsafe highway conditions with an unacceptable impact on highway safety, particularly that of pedestrians. Moreover, the development would, by means of the overprovision of vehicle

parking spaces, give rise to overreliance on travel by private car and therefore fail to promote the use of sustainable transport modes, such as walking, cycling and public transport.

11. It is therefore unlikely that the development as proposed will comply with the provisions of Policy DM23, BCS10, and NPPF Part 9.

This development is considered unacceptable and TDM therefore recommends refusal of the application.

Overall, it is upheld that the revised application runs contrary to guidance contained within National Planning Policy Framework (2023); Core Strategy (2011).

Other Matters

The local authority does not consider there to be any other materially relevant matters which may warrant refusal of the scheme.

Summary

Revised proposals conflict with adopted national and local policies pertaining to design and character as well as transport and highways safety matters and on this basis the Local Authority recommends planning permission be refused.

Conditions

Pre occupation conditions

a. Further details of Refuse Storage and Recycling Facilities before occupation

No building or use hereby permitted shall be occupied or use commenced until detailed designs of the following have been submitted to and approved in writing by the Local Planning Authority:

- Dedicated, suitably screened, ventilated and secure storage for each dwelling of a 180L refuse bin, two dry-recycling boxes (44L & 55L), a kitchen waste bin (23L) and a cardboard waste sack (90L) that complies with the Council's [Waste & Recycling Guidance](#).

The detail thereby approved shall be carried out in accordance with that approval, and thereafter all refuse and recyclable materials associated with the development shall either be stored within this dedicated store/area, as shown on the approved plans, or internally within the buildings that form part of the application site. No refuse or recycling material shall be stored or placed for collection on the adopted highway (including the footway), except on the day of collection.

Reason: To safeguard the amenity of the occupiers of adjoining premises; protect the general environment; prevent any obstruction to pedestrian movement and to ensure that there are adequate facilities for the storage and recycling of recoverable materials.

b. Further details of Cycle Parking Provision before occupation

No building or use hereby permitted shall be occupied or use commenced until detailed

designs of the following have been submitted to and approved in writing by the Local Planning Authority:

- The intended location, dimensions, layout, and capacity of cycle storage for at least 2x cycles per dwelling, using the preferred 'Sheffield stand' design or metal cycle lockers, in compliance with the Council's [Guidance on Cycle Storage](#).

The detail thereby approved shall be carried out in accordance with that approval, and thereafter be kept free of obstruction and available only for the parking of cycles.

Reason: To ensure the provision and availability of adequate cycle parking.

- c. Further details of Drainage provision at the proposed accessway before occupation

No building or use hereby permitted shall be occupied or use commenced until detailed designs of the following have been submitted to and approved in writing by the Local Planning Authority:

- Plans showing drainage provision at the points of vehicular access to the development from the adopted highway.

The detail thereby approved shall be carried out in accordance with that approval.

Reason: To minimise the discharge of surface water onto the adopted highway.

- d. Completion of Pedestrians/Cyclists Access – Shown on Approved Plans

No building or use hereby permitted shall be occupied or the use commenced until the means of access for pedestrians and/or cyclists have been constructed in accordance with the approved plans and shall thereafter be retained for access purposes only.

Reason: In the interests of highway safety.

- e. Installation of vehicle crossover – Shown on Approved Plans

No building or use hereby permitted shall be occupied or use commenced until drop kerbs has been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site in accordance with the approved plans and retained in that form thereafter for the lifetime of the development.

Reason: In the interests of pedestrian safety and accessibility.

The proposed development is sensitive to contamination but is situated on land not thought to have been subject to a potentially contaminating land use. In light of this and the nature of the development, the following condition is recommended along with the advice:

Condition: Reporting of Unexpected Contamination The development hereby approved within any approved phase shall not be brought into use until written confirmation is

provided to the LPA that unexpected or previously unidentified contamination was not encountered during the course of development works.

If, during development, unexpected contamination is found to be present on the site, no further works shall be carried out at the affected location until the following are submitted to the LPA for approval:

I. Risk Assessment (GQRA or DQRA);

II. Remediation Strategy & Verification Plan;

If remediation is required, it shall be carried out in accordance with the approved Remediation Strategy. Upon completion of remediation works, a Verification Report shall be submitted for approval.

The actions required above shall be completed in full accordance with the following guidance: Land Contamination Risk Management (Environment Agency, 2023).

Reason: To prevent unacceptable risk to Human Health and Controlled Waters and to prevent pollution of the environment in accordance with the aims and Paragraphs 124 (c), 180 (e & f) , 189 & 190 of the National Planning Policy Framework (2024).

Radon Advice:

The site falls within a radon referral area, the applicant is advised to undertake a radon risk assessment to establish if radon protection measures are required as part of the development. An initial risk assessment can be undertaken by visiting [REDACTED] or contacting UK Radon on 01235 822622.

In accordance with the Bristol City Council Sustainable Drainage Standing Advice Matrix, the LLFA's comments for this application will be provided via our Standing Advice. The LPA and applicant must ensure the proposal meets the requirements of the Standing Advice, found in section 4.3 of the level 1 SFRA. (Level 1: Citywide Strategic Flood Risk Assessment (bristol.gov.uk)).