

Appeal Decision

Site visit made on 8 November 2016

by Richard S Jones BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16th November 2016

Appeal Ref: APP/Z0116/D/16/3155195
52 Clarendon Road, Redland, Bristol BS6 7ET

- 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 Gareth Sweet against the decision of Bristol City Council.
 - The application Ref 16/02555/H, dated 11 May 2016, was refused by notice dated 5 July 2016.
 - The development proposed is the formation of a new off-street parking space with bin store.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the proposal would preserve or enhance the character or appearance of the Cotham and Redland Conservation Area.

Reasons

3. The appeal property is a large, stone faced, semi-detached villa located within the Cotham and Redland Conservation Area, which is predominantly residential and characterised by a high-quality Victorian townscape.
 4. The site frontage comprises a stone boundary wall with an existing opening marked on either side by contrasting stone quoins. A store is positioned immediately to the rear of the south eastern corner of the frontage which has painted timber doors and a stone back wall construction and felt roof. Grey pennant stone steps, alongside a stone retaining wall, lead up from the site entrance to the dwelling which is elevated above road level.
 5. The Cotham and Redland Character Appraisal and Management Proposals document (the Character Area Appraisal) identifies the site within the West Redland Area where front boundary walls and gardens are highlighted as an important feature in the area. The continued or increased loss or unsympathetic alteration of front boundary treatments and gardens to off-street parking or inappropriate alterations are therefore highlighted as a threat to the Conservation Area. The Article 4 Direction to remove such permitted development rights was imposed as a result of the identified threats.
 6. The appellant has drawn my attention to Bristol Local Plan Policy Advice Note 6 (Off-Street Residential Parking in Conservation Areas) (PAN 6), which it is submitted should be given considerable weight. Although not referred to in the
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Council's Delegated Report, a copy has been provided by the Council with a note confirming its status as adopted supplementary guidance. However, it is highlighted as being an old document, dated 1995, and that the more recent Character Area Appraisal should be given more weight.

7. Nevertheless, PAN 6 remains a significant material planning consideration and emphasises that the front boundary wall of a property is a significant feature that needs to be retained. It advises that the width of any access should be kept to a minimum and that 2-3m should be adequate to accommodate a car. In order to maintain a balance between the boundary wall and any opening it is recommended that the opening takes up no more than a third of the frontage.
8. In this case, the appellant states that the proposal would result in the loss of a 1.74m section of the existing wall to create an opening of 3.67m within a frontage with an overall width of 11.07m. The proposal would therefore be greater than the guide width of 2-3m and would maximise, rather than minimise, the ratio of opening to enclosure to approximately one third. The proposal would therefore only partly accord with PAN 6.
9. As highlighted, the existing boundary walls are an important unifying feature of the Conservation Area and this part of Clarendon Road benefits from a section that remains largely intact. Therefore, the creation of a wider opening would significantly disrupt this existing rhythm and cohesiveness and would result in the further erosion of a feature that presently contributes positively to the setting of the appeal site dwelling and the townscape quality of the street.
10. Although the hard surface patio area would be replaced by soft landscaping, the extent of front garden area would be reduced, including the most conspicuous element above the wall area. Due to the new walls being recessed within the site and likely partly obscured by a car for much of the time, I do not agree that the sense of enclosure or the visual harm would be maintained or acceptably mitigated by the proposed materials and detailing or by the use of timber gates.
11. For these reasons the proposal would not preserve or enhance the character or appearance of the Cotham and Redland Conservation Area. As such it would be contrary to the conservation and design aims of: Policies DM26, DM27, DM30 and DM31 of the Bristol Local Plan Site Allocations and Development Management Policies; Policies BCS21 and BCS22 of the Bristol Development Framework Core Strategy and; the Character Area Appraisal.
12. Such an outcome would also conflict with the expectations of paragraph 132 of the National Planning Policy Framework (the Framework), which anticipates great weight being given to the conservation of designated heritage assets.
13. Whilst the magnitude of harm identified in respect of the conservation area as a whole may be considered less than substantial in the context of paragraphs 134/135 of the Framework, the existing boundary walls are a significant heritage asset within the Conservation Area and are worthy of retention and protection in order to preserve the character and appearance of the area. As heritage assets are irreplaceable, any harm requires clear and convincing justification. In this regard, I appreciate that the appellant wishes to make improvements to his home and that the flank retaining wall may require structural attention, however, there would be no public benefit arising from the removal of the wall which would

outweigh that which I must attach to the designated heritage asset's conservation.

Other matters

14. Whilst I note that the Council's Transport Development Management Officer did not raise an objection to the proposal, subject to conditions, this assessment would have been based on a consideration of the safety aspects of the scheme, rather than its visual appearance.

Conclusion

15. For the above stated reasons, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Richard S Jones

INSPECTOR