

Appeal Decision

Site visit made on 13 February 2017

by Chris Couper BA (Hons) DiP TP MRTPI

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

Decision date: 09 March 2017

Appeal Ref: APP/Z0116/D/16/3162938
12b Cotham Road, Cotham, Bristol BS6 6DR

- 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 Mrs Amanda Weekes against the decision of Bristol City Council.
 - The application Ref 16/04031/H, dated 10 March 2016, was refused by notice dated 21 October 2016.
 - The development proposed is described as parking spaces on our front garden, including dropping the kerb outside of our house and changing the parking on the road outside our house.
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Decision

1. The appeal is dismissed.

Procedural matters

2. I have taken the description of the development broadly from the application form, but leaving out superfluous words.
3. The scheme was amended during its consideration by the Council. I have based my decision on the amended scheme, which includes drawing no. JLS-4 as set out in the Council's decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and the area, including whether or not it would preserve or enhance the character or appearance of the Cotham and Redland Conservation Area.

Reasons

5. The appeal site is located in the Cotham and Redland Conservation Area ('CA'). The Cotham and Redland Conservation Area Character Appraisal 2011 ('the CACA') describes the CA as broadly characterised by its high quality, Victorian, undulating townscape, with many substantial buildings of varying design and materials. At paragraphs 7.6.5 to 7.6.7 it states that railings and boundary walls contribute significantly to its character, and should be preserved, sympathetically restored or reinstated. It continues at sections 9 and 10 that threats to the CA include the loss of traditional boundary walls to provide off-

street parking, and that where they make a positive contribution to the area their removal will be resisted.

6. The CACA describes this part of the CA as the Upper Cotham Character Area, whose predominant and important characteristics include domestic scale buildings set back from the street behind short front gardens and stone boundary treatment. At paragraph 7.1.1h it states that these traditional boundary treatments add a variety of scale and interest to the street scene, and that their loss has a negative impact on the character and appearance of the area.
7. I observed on my visit that there are significant stretches of stone wall of varying height along both sides of Cotham Road close to the site, but that they are frequently punctured by property entrances. Nevertheless, I concur with the CACA that the mix of properties with fine architectural detailing, together with landscaping and boundary treatment gives the area much of its distinctive character.
8. No. 12b is a mid-terrace two storey dwelling, which sits behind a front garden, with a hedgerow and stone wall fronting Cotham Road. That wall is lower than some others in the area, and is interrupted by a pedestrian gate. As a result of this scheme that existing pedestrian access would be widened to 3m to enable a car to be parked off-road, with landscaping and storage areas to the sides, as depicted on drawing Ref JLS-4. The parties agree that that would entail the removal of an approximately 1.8m long section of the stone wall, in this approximately 5.7m long frontage.
9. I appreciate that many properties along Cotham Road have breaks in their boundary wall adjacent to the highway, and the appellant states that 21 out of 43 have off-road parking. However, from my observations, many of the breaks in the boundary walls adjacent to highway to provide access take up a smaller proportion of the total wall length than would be the case here.
10. For instance, although no. 12 has a vehicular access, that corner plot still has a long stone wall, which includes its boundary with Oxford Street. Despite its access points, the school opposite also has long uninterrupted sections of wall. Although there is a vehicular access to no. 12c, which is very similar to this proposal, I understand that that scheme was approved in 2003 before the adoption of the development plan policies referred to by the Council, and before the publication of the CACA.
11. No. 12b's wall is bowing, which the appellant states is due to the fast-growing hedge behind, and requires repointing; and I note the appellant's intention to repair the retained section should the appeal be allowed. However, I have no substantive evidence that it is structurally unsound, or that it could not be restored in accordance with the CACA's advice. Having concluded that stone boundary walls form an important part of this area's special interest and character, I conclude that the removal of even this relatively short section of it here would harm the character and appearance of the CA, particularly as it would result in a relatively large proportion of this property's frontage being open, with no stone wall.

12. For the reasons above the scheme would conflict with policies BCS22 of the Bristol Core Strategy 2011 and DM31 of the Bristol Site Allocations and Development Management Policies Local Plan 2014 which state in broad terms that development shall safeguard or enhance heritage assets, and preserve or enhance those elements of conservation areas which contribute to their special character or appearance. It would also conflict with the guidance in the CACA.
13. Policy DM31 refers to PAN 6 'Off-Street Residential Parking in Conservation Areas', which in turn recommends that, in order to maintain a balance between the boundary wall and the opening, the opening should take up no more than a third of the frontage. Based on the appellant's own figures this opening would exceed that proportion. The scheme would therefore conflict with that supplementary planning guidance, and although there may be some examples such as at no. 12c, where schemes have been approved contrary to its advice, that does not justify the harm that would be caused here.
14. In accordance with paragraph 132 of the National Planning Policy Framework ('Framework') I have given great weight to this designated heritage asset's conservation. Although I have concluded that the scheme would not preserve or enhance the character and appearance of the CA, given the limited section of wall that would be removed, and the size of the CA, when considered as a whole, the harm caused to it would be less than substantial. Consequently in accordance with the Framework's paragraph 134 I have weighed that harm against the public benefits of the proposal.
15. The appellant states that the scheme would enable her family to park a car off-road, which would be more practical than being often forced to park some distance away, and is necessary due to frequent abuse by non-residents of the Residents Parking Zone ('RPZ'), particularly associated with the nearby school, nursery and garage. Additionally, she states that by parking one of her cars across the entrance there would be a net parking benefit, although in my view, relative to demand, the spaces created, which could only be used by the occupants and visitors to no. 12b, would not have a significant impact on parking availability in the RPZ.
16. Furthermore, she states that it is her intention to purchase an electric car which would require an off-road space for secure overnight charging. I agree that, in accordance with national and local planning policies and initiatives which seek to promote sustainable forms of transport, reduce carbon emissions, and improve air quality, that would constitute a public benefit; although I have limited information regarding the appellant's reference to a potential move to only allow electrical vehicles into Bristol city centre.
17. This is a case where planning policies pull in different directions. However having paid special attention to the desirability of preserving or enhancing the character or appearance of conservation areas, the harm that would be caused here outweighs the very limited benefits that would arise should one electric car be purchased and parked off-road. Consequently, having regard to all other matters raised, the appeal is dismissed.

Chris Couper

INSPECTOR