
Appeal Decision

Site visit made on 2 May 2017

by L J O'Brien BA (Hons) MA

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 02 June 2017

Appeal Ref: APP/Z0116/D/17/3170563

119 Richmond Road, Montpelier, Bristol, BS6 5EP

- 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 and Mrs Barney and Zoe Hawes against the decision of Bristol City Council.
 - The application Ref 16/05518/H, dated 12 October 2016, was refused by notice dated 8 February 2017.
 - The development proposed is 1. Demolition of existing two storey extension and replacement with single storey extension 2. Roof extension to create additional storey.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - the effect of the proposal on the character and appearance of the host building and the wider area; including the setting of the neighbouring listed building and whether or not the development would preserve or enhance the character or appearance of the Montpelier Conservation area, and
 - the effect of the proposal on the living conditions of the occupiers of 121 Richmond Road.

Reasons

Character and appearance

3. The appeal property is situated within the Montpelier Conservation Area (CA) which is split into a number of character areas in the Montpelier Character Appraisal, October 2008 (MCA). Richmond Road sits within character area 3, Upper Montpelier, which is broadly characterised by terraced properties of two or three storeys with a variety of distinctive roof forms. An important aspect of the material palette, as defined by the MCA, is red brick chimney stacks with a variety of clay chimney pots.
 4. 119 Richmond Road, the appeal property, is a two storey residential dwelling which forms part of such a terrace. As detailed in the MCA, properties in the area vary in terms of height, scale, materials, roof line and detailing creating an eclectic and vibrant character and appearance. Key architectural features,
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- such as the chimney stacks, add variety and act as focal points. The neighbouring property at 117 Richmond Road is a Grade II listed building.
5. The CA and the listed building are 'heritage assets' as defined by the National Planning Policy Framework (NPPF), which seeks to ensure that heritage assets are conserved in a manner appropriate to their significance. Where a development would lead to substantial or less than substantial harm to the significance of an asset, the harm should be weighed against the public benefits.
 6. The proposal is to demolish and replace an existing rear extension and to extend into the roof, increasing the height of the building and adding an additional storey of living space to the dwelling.
 7. The revised roof line would sit above the roof line of 117 but below that at 121 thus maintaining the staggered and varied roof line which characterises the terrace. However, the increase in the height of the roof would largely obscure the chimney stack between 117 and 119 which is an attractive and significant feature of the terrace. The MCA is clear that the chimney stacks and pots are striking features which punctuate the skyline and their replacement or removal is discouraged. The proposal would not only obscure the chimney stack but would also diminish its overall impact on the skyline.
 8. The appeal site exhibits a number of characteristics which can be said to typify those found throughout the CA and makes a positive contribution to the significance of the heritage asset. The chimney stack is a particular contributor in this regard. For the reasons outlined above, I consider that the development would be harmful to the character and appearance of the host dwelling and the setting of the neighbouring listed building at 117. The proposal would also fail to preserve or enhance the character and appearance of the CA. Due to the small scale of the development it would cause 'less than substantial harm' to the significance of the heritage assets, but that harm is still sufficient to carry considerable weight against the appeal.
 9. A number of public benefits have been identified by the appellants, including retaining and enhancing a family property, benefits to sustainability, the benefits provided by the green roof and the preservation and regeneration of a historic building. However, in my view these have a limited benefit to the wider public and would not outweigh the harm I have identified.
 10. The development consequently fails to comply with policy BCS21 of the Bristol Development Framework Core Strategy (CS), adopted June 2011 and policy DM30 of the Site Allocations and Development Management Policies Local Plan (LP), adopted July 2014. These policies, amongst other things, seek to ensure a high quality of design which contributes positively to an area's character and reinforces local distinctiveness.
 11. I have also found conflict with policy BCS22 of the CS and LP policy DM31. These policies deal specifically with the impact on heritage assets and strive to guarantee that development safeguards or enhances heritage assets and the character and setting of areas of acknowledged importance such as conservation areas.
 12. I also consider that the scheme does not accord with the guidance set out within the MCA and Supplementary Planning Document Number 2 (October

2005) which expect extensions or alterations to respect the character of the locality and highlight the importance of chimney stacks across the area.

Living conditions

13. The rear extension would replace an existing two storey extension. The proposed extension would be somewhat larger than that in situ, projecting further forward of the rear building line and extending closer to the boundary with 121 Richmond Road.
14. The proposed extension would not be as high as the existing extension and a sloped roof would help to minimise its impact. I also acknowledge that it would step down at the boundary with 121. However, the rear garden at 121 is fairly narrow and is partially enclosed on one side by the side wall of an existing three storey projection. The increased proximity of the proposed extension to the boundary with 121 would combine with the projection on the opposite side to create an overbearing sense of enclosure at 121 Richmond Road and would cause harm to living conditions at this property.
15. I note the daylight analysis submitted by the appellant and accept that there would only be a minimal loss of daylight to 121. However, this does not overcome the harm I have identified above.
16. The development would, therefore, fail to accord with policy BCS21 of the CS and policy DM30 of the LP in respect of their requirement for new development to safeguard the amenity of neighbouring occupiers.

Conclusion

17. I have considered all other matters raised, but none is sufficient to outweigh my conclusion that the appeal should be dismissed.

L J O'Brien

APPOINTED PERSON